

First Lieut. Lucian B. Moody to be captain.  
 First Lieut. Donald C. McDonald to be captain.  
 Second Lieut. Frederic A. Price, jr., to be first lieutenant.  
 Second Lieut. Isaac E. Titus to be first lieutenant.

## CHAPLAIN.

Chaplain Francis P. Joyce to be chaplain with the rank of captain.

## PROMOTIONS IN THE NAVY.

The following-named gunners to be chief gunners:  
 William C. Bean, and  
 Edward W. Furey.

## POSTMASTERS.

ALABAMA.

Augustus L. Hawley, Abbeville.

## CALIFORNIA.

Calla J. Westfall, Venice.

## COLORADO.

James L. Moorhead, Boulder.

## FLORIDA.

William L. Keefer, Fort Pierce.

## ILLINOIS.

Charles F. Douglass, Ashland.

Leander F. Gowdy, Enfield.

## KANSAS.

William H. Smith, Colby.

## MICHIGAN.

Burton F. Browne, Harbor Beach.

## MINNESOTA.

Harry A. Allen, Verndale.

Robert M. Mills, Maple Plain.

Samuel B. Scott, Zumbrota.

## MONTANA.

Ovid S. Draper, Bonner.

## NEW JERSEY.

Patrick J. Carney, Grantwood.

Peter P. Cluss, Leonia.

Charles L. Flanagan, Riverton.

Charles F. Hopkins, Boonton.

Frank M. O'Shea, Westwood.

Willis D. Robbins, Port Norris.

## OHIO.

Sheridan G. Dowds, Mount Vernon.

John Welch, National Military Home.

## SOUTH CAROLINA.

James M. Byrd, Branchville.

Charles J. Shannon, Camden.

## TENNESSEE.

James Rogers, jr., Dyer.

## WYOMING.

Joseph Munz, Saratoga.

## HOUSE OF REPRESENTATIVES.

MONDAY, April 15, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our God, and our Father, we wait upon Thee for the uplift of Thy spirit, which shall clarify our minds, quicken our conscience, and lead us in the way of righteousness, truth, and justice, virtues which crown the efforts of Thy children with success, and fill the heart with joy and gladness. Hear us, and thus guide us; for thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of Sunday, April 14, 1912, was read and approved.

## RATIFICATION OF SIXTEENTH AMENDMENT BY ARIZONA.

The SPEAKER. The Chair lays before the House the announcement of the ratification by the State of Arizona of the income-tax amendment to the Constitution of the United States. The Clerk read as follows:

THE GOVERNOR'S OFFICE, STATEHOUSE,  
 Phoenix, April 10, 1912.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
 Washington, D. C.

SIR: I have the honor to hand you herewith a certified copy of senate joint resolution No. 1, being a joint resolution of the Legislature of the State of Arizona ratifying the proposed amendment to the Constitution of the United States authorizing the laying and collecting of taxes on

incomes, which said resolution was by the legislature adopted and the said proposed amendment to the Constitution of the United States ratified by the unanimous vote of both houses, and approved by the governor of Arizona.

Respectfully,

GEO. W. P. HUNT,  
 Governor of Arizona.

STATE OF ARIZONA,  
 OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,  
 State of Arizona, ss:

I, Sidney P. Osborn, secretary of Arizona, do hereby certify that the within is a true and complete copy of senate joint resolution No. 1, passed by the first Legislature of the State of Arizona, and approved by the governor, April 9, 1912, as appears from the original now on file in this office.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 10th day of April, A. D. 1912.

[SEAL.]

SIDNEY P. OSBORN,  
 Secretary of Arizona.

## Senate joint resolution 1.

A joint resolution of the Legislature of the State of Arizona ratifying the sixteenth amendment to the Constitution of the United States.

Be it enacted by the Legislature of the State of Arizona:

Whereas both House of the Sixty-first Congress of the United States of America, at its first session, begun and held at the city of Washington on Monday, the 15th day of March, 1909, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"Joint resolution proposing an amendment to the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"Art. XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration."

Therefore be it

Resolved by the Senate and House of Representatives of the Legislature of the State of Arizona, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Arizona; and further be it

Resolved, That certified copies of this joint resolution be forwarded by the governor of this State to the Secretary of State of the United States of America at Washington, to the President of the United States Senate, and to the Speaker of the House of Representatives of the National Congress.

April 3, 1912.

M. G. CUNIFF,  
 President of the Senate.

SAM B. BRADNER,  
 Speaker of the House of Representatives.

Approved April 9, 1912.

GEO. W. P. HUNT,  
 Governor of Arizona.

## CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is Unanimous Consent Calendar day and suspension day. The Clerk will report the first bill on the Unanimous Consent Calendar.

## CLAIMS ARISING FROM INDIAN DEPREDACTIONS.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 14667) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

Mr. STEPHENS of Texas. Mr. Speaker, that bill is the special order for Wednesday next.

Mr. MANN. Then it might as well go off this calendar, I suppose.

Mr. STEPHENS of Texas. I am willing to have it dropped from this calendar.

The SPEAKER. The Clerk will strike it from the Calendar for Unanimous Consent, and report the next bill.

## CERTAIN LANDS, UVALDE, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22301) authorizing the Secretary of the Treasury to convey to the city of Uvalde, Tex., a certain strip of land.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey, by quitclaim deed, to the city of Uvalde, Tex., for street purposes, and for no other purpose, all the right, title, and interest of the United States of America in and to a strip of land off the west and south sides of the Federal building site in said city of sufficient width to provide a 10-foot sidewalk: *Provided*, That the city of Uvalde, Tex., shall construct and maintain said sidewalks the same as other sidewalks in said city are improved and maintained.

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object, I should like to inquire about the proviso at the end of this bill. Does it commit the Government to building sidewalks, the same as citizens of Uvalde, Tex.?

Mr. GARNER. Mr. Speaker, if the gentleman from Illinois will read the provision he will conclude, I am sure, that it provides for just the reverse.

Mr. FOSTER. I do not know what the ordinances of the city provide, and therefore I asked the question.

Mr. GARNER. I do not know what the ordinances are, but the intention is to transfer from the Government of the United States a strip of land that was inadvertently condemned to the city for sidewalk purposes that the city may maintain the expense of keeping up the sidewalks instead of the Federal Government doing it, and to give the city jurisdiction from a police standpoint. I may say while I am on my feet that this bill was introduced at the suggestion of the Treasury Department. I have no more interest in it than any other Member of the House, except that it is the policy of the Treasury Department to have the local municipalities control the streets and sidewalks surrounding public buildings.

Mr. FOSTER. The city is to build the sidewalks and maintain them.

Mr. GARNER. It is hoped that they will keep all the sidewalks in repair and maintain them. Whether they will do it I am not able to guarantee.

Mr. MANN. At any rate, the Government will not be required to keep them up.

Mr. FOSTER. I wondered if the language was such that it would not require the Government to maintain them. It says "the same as other sidewalks in the city are improved and maintained."

Mr. MANN. I will say that the city under the law would not have authority to make an assessment against the Government and collect it.

Mr. FOSTER. I understand that, but this language might be so construed that we were acknowledging our liability to build and maintain the sidewalks.

Mr. MANN. I do not think that it is open to that construction, but even if it were they could not levy an assessment against the Government property and collect it.

Mr. FOSTER. No; but their Representative could present a bill to the Committee on Claims and have it reported to this House.

Mr. MANN. He might present it. I doubt whether he could get it reported, and I am quite sure that he could not get it passed.

Mr. FOSTER. I do not know about that. The gentleman from Texas generally gets reported what he wants in this House.

Mr. MANN. Yes; the gentleman from Texas is very efficient.

Mr. GARNER. Mr. Speaker, I am much obliged to the gentleman from Illinois on my right [Mr. MANN], but the State of Texas seldom ever asks for anything unless it is proper, and therefore Congress is always willing to grant it. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### CORSICANA, TEX.

The SPEAKER. The Clerk will report the next bill on the Calendar for Unanimous Consent.

The Clerk read as follows:

A bill (H. R. 12013) to authorize the Secretary of the Treasury to convey to the city of Corsicana, Tex., certain lands for alley purposes.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey, by quitclaim deed, to the city of Corsicana, Tex., for the purpose of a public alley, and for no other purpose, all the right, title, and interest of the United States of America in and to a strip of land off the rear of the Federal building site in said city of sufficient width to provide, in connection with land adjacent thereto, a 10-foot alley: *Provided*, That the city of Corsicana shall open said alley and improve and maintain the same as other public alleys of said city are improved and maintained.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### RELIEF OF HOMESTEADERS IN NEBRASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20498) for the relief of certain homesteaders in Nebraska.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That all additional or second homestead entries heretofore permitted to be made under the act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved public lands in Nebraska," approved April 28, 1904, by entry-

men who were possessed at the time of such entry of more than 160 acres of land, independently of the former entry, but qualified in other respects, are hereby validated in cases where cancellations shall not have been made.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to inquire of the gentleman as to what is the object of the first committee amendment, which would make it read, "That all such additional or second homestead entries," there having been no prior mention of any homestead entry?

Mr. KINKAID of Nebraska. I do not quite understand the gentleman.

Mr. MANN. The bill as introduced provided "that all additional or second homestead entries which have heretofore been permitted erroneously to be made under the act," and so forth, and the committee proposes an amendment to provide that all "such additional or second homestead entries," and so forth. Now to what does the word "such" refer? Is there any reason for inserting it there, as this is the first reference to additional or second homestead entries?

Mr. KINKAID of Nebraska. Mr. Speaker, all such as were erroneously permitted to be entered. Some were legally entered, some of the entries are legal under one section of this act, while others that do not come precisely under that particular section are not legal under another section under which they more naturally fall.

They were held in the first place to be legal under that section, and entries were permitted under that section which were allowed to be held for a number of years—some of them for six years, some of them for almost seven years, meanwhile the law being complied with. The word "such" is for the purpose of preventing the implication that all of the entries were illegal while some were legal. Those permitted under section 2 of the act were legal, while those permitted under section 3 of the act were held illegal.

Those committee amendments were made upon my own suggestion, I having introduced the bill, so as to not permit the implication that these entries which were held by the department to be legal were illegal.

Mr. MANN. Then ought it not to read:

That all such additional or second homestead entries as have been heretofore permitted—

And so forth, instead of—

That all such additional or homestead entries which have heretofore been permitted—

And so forth?

Let me ask the gentleman further: This bill would not grant relief, as I understand it, if a man had purchased a piece of property, a farm, and had not entered it under the homestead law, and then desired to acquire additional ground under the homestead law?

Mr. KINKAID of Nebraska. It covers just such cases as that. In one draft of the bill I had it worded "whether acquired by purchase or otherwise," but I preferred this draft finally, and this was acceptable to the Secretary of the Interior.

Mr. MANN. Have all of these lands been entered as homesteads?

Mr. KINKAID of Nebraska. Oh, yes; it is for homestead entries and nothing else that the relief is sought.

Mr. MANN. Suppose a man has since acquired by purchase one of these homestead entries which he has not entered under the homestead law? In that case he could not receive any benefit under this act?

Mr. KINKAID of Nebraska. I do not think I understand the gentleman—acquired by purchase a homestead entry?

Mr. MANN. Yes; from the original entryman.

Mr. KINKAID of Nebraska. To explain to the gentleman, the difficulty arises by reason of the fact that the bill originally was intended to allow persons who had made one quarter section entries in this territory covered by the one-section act, subsequently passed, to make additional three quarter section entries so as to make them even with the newcomer, the new entryman, who was authorized to enter a whole section. In the case of many of these entrymen who made the first entry of one quarter section they thereafter acquired some lands by purchase and thereby became possessed of more than 160 acres.

It is held by the department that under the third section of the act they were disqualified from making additional entry for that reason, namely, that they had acquired other lands by purchase, so that they had more than 160 acres of land. This is to relieve those who had acquired by purchase more than the 160 acres.

I will state for the benefit of the House that the Assistant Secretary of the Interior, having a case under consideration where this very question was involved, withheld his decision.

which must have been adverse to the entry, until such legislation as this could be passed. The entry was made six years ago, and the entryman had lived upon the land, complied with the law, fulfilled all the requirements, and made valuable improvements. The facts appealed to the Secretary so strongly for equitable relief that he suspended making a decision and voluntarily recommended this very legislation. However, I had introduced bills in previous Congresses providing for the same relief, and I had a bill already drafted to introduce when the Secretary made the recommendation. The pending bill is for the relief of such cases as the Secretary had and yet has under consideration and other cases like it. Mr. Speaker, I ask that the bill be passed with the amendments.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the first amendment.

The Clerk read as follows:

Line 3, page 1, after the word "all," insert the word "such."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Line 3, after the word "entries," insert the words "which have."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Line 4, after the word "heretofore," insert the word "been."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Line 4, after the word "permitted," insert the word "erroneously."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### LEASE OF SCHOOL LANDS FOR PUBLIC-PARK PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (S. 2577) authorizing the lease of school lands for public-park purposes in the State of Washington for a longer period than five years.

The Clerk read as follows:

*Be it enacted, etc.*, That the southeast quarter and the southwest quarter, section 36, township 18 north, range 10 west; and the southeast quarter, and the southeast quarter of the northeast quarter, section 16, township 17 north, range 9 west, in Chehalis County, granted to the State of Washington for educational purposes, may, under such rules and regulations as the legislature of the said State shall prescribe, be leased for public-park purposes for such term as said legislature may fix, anything in the enabling act of said State to the contrary notwithstanding.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I understand from this bill that it is proposed to permit the State to use for other purposes land which the Government donated to the State for school purposes. Is that correct?

Mr. TAYLOR of Colorado. Why, no, sir; I do not think it is.

Mr. MANN. Well, what is the purpose, then?

Mr. TAYLOR of Colorado. The Government originally granted to the State of Washington this land for school purposes. In the enabling act by which that State came into the Union there was a provision that the school lands should never be leased by the State for a longer period than five years. Now the State wants to lease to two cities these two tracts of land for parks and playground purposes for the children and the public. The cities or the school districts can not afford to expend a large amount of money improving parks on a five-year lease. The legislature has already passed an act granting these parks for these school or playground purposes, and the court held that the act was unconstitutional, because of that restriction in the enabling act; and the attorney general of that State has rendered an opinion that the State legislature can not grant these small tracts of land for use for park purposes for longer than five years, because of that restriction or limitation in the enabling act. Now, this bill is to have Congress waive its right, if it has any, to object or protest against the State modifying or ignoring the provisions of its enabling act in regard to these two parks. That is all there is to it.

Mr. MANN. I do not think the gentleman and I have stated the case at all differently. The gentleman states now that land which we donated to the State for school purposes the State desires to have used for public-park purposes. That is quite a different thing from school purposes.

Mr. TAYLOR of Colorado. I think a public park that is used by school children as a playground is not only perfectly legitimate, but necessary for the welfare of the children and the community.

Mr. MANN. I do not care whether it is used for a playground or not. It does not state that in the report; the purpose stated in the report is to permit the State to lease, I suppose, at a nominal rental these school lands for public-park purposes. I question whether that ought to be done.

Mr. TAYLOR of Colorado. I prepared that report for the committee, and I thought it was very full and plain. Does not the gentleman feel that the Legislature of the State of Washington can be trusted to lease for park purposes these tracts of land, when all the State officials and all the organizations practically in that part of the State have memorialized Congress, urging the passage of this bill? There is absolutely no opposition to it in that State or anywhere else.

Mr. MANN. That may all true; but we granted the land for the use of schools to help provide education. Now, if the State desires to divert the land to some other purpose I question whether it is a policy which we ought to permit. What excuse is there for taking school lands and using them for public-park purposes?

Mr. TAYLOR of Colorado. Why, the State already has the right to lease the land for five years for this purpose, and this act simply gives them the right to lease it for longer than five years. Congress is not giving away anything, and that State is not squandering anything.

Mr. MANN. They may have the right to lease school lands for park purposes at a nominal rental, but I question whether they have the moral right to take lands which the Government donated them for school purposes and divert them to public-park purposes without compensation.

Mr. WARBURTON. May I interrupt the gentleman?

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from Washington?

Mr. TAYLOR of Colorado. Certainly.

Mr. WARBURTON. I would like to say a word in addition to what the gentleman has said. We have in the State of Washington full power to sell our school lands. If the State wanted to cheat the school fund out of its money it could sell them for practically a nominal sum and give a deed. Now, that is not the situation. The school land in question is within the city limits of Aberdeen, a town of about 15,000 people, and a very rapidly growing city. The State of Washington does not propose to sell that school land for 10 or 15 years, possibly longer. They want to hold it as one of the great assets belonging to the school fund. It is within the city of Aberdeen covered with heavy undergrowth and trees, an unsightly piece of land.

The city of Aberdeen wants to build streets and alleys, walks and drives, through that land and clear up the underbrush on it. It can not afford to go to that expense on a five-year lease. The State wanting to preserve its splendid assets in school lands will not sell it, but is willing to lease it for 5, 10, or 15 years, according to what the people of the State or the legislature ultimately conclude, but it is going to be an enormous asset for the school funds in time. We are preserving it, and we are objecting to selling it until we can sell it for a great big sum for the benefit of the schools of the State. If we had wanted to give that to the people of Aberdeen and realize the last penny to be made out of it, we could have sold it to them for a nominal consideration. But the State does not want to do that. It wants to give the people of Aberdeen the privilege of building walks and driveways through this land, and hold it and sell it for a great big sum to the people of our State for the benefit of our schools.

Mr. MANN. Will the gentleman yield?

Mr. WARBURTON. Gladly; yes.

Mr. MANN. Does the gentleman believe if they divert this school land for park purposes it will ever be used for any other purpose than as a park? Will the people there have any desire to have it sold for school purposes?

Mr. WARBURTON. There is not any question about it. If we want to make it as a gift we have the power to do it this minute. We do not ask Congress to make that gift to Aberdeen at all, and we are not going to do it, I will say to the gentleman from Illinois. We are going to save that school land as we saved the land for our State university. They tried to buy that, but they leased it for 30 years, and they have six-story buildings on it. It comes back to us in 30 years. We are not going to dissipate our school lands as they did in Illinois. You touch our people on the question of school lands and you touch a tender spot. We do not sell them until we get a good price.

Mr. MANN. I hope the gentleman's prophecy is true.

Mr. WARBURTON. It is correct.

Mr. MANN. I will make the prophecy if this becomes a law it will remain a park always, and the school will lose the benefit of it.

Mr. WARBURTON. I want to make a prophecy. I venture the assertion that the people of the State of Washington will get \$1,000,000 for their school fund if you let them alone and let them take care of their own business.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was read a third time and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### REPORTS OF STEAMBOAT-INSPECTION SERVICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22343) to require supervising inspectors, Steamboat-Inspection Service, to submit their annual report at the end of each fiscal year.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 4410, Revised Statutes of the United States, be, and it is hereby, amended to read as follows:

"SEC. 4410. Each supervising inspector shall report, in writing, at the end of each fiscal year to the Supervising Inspector General the general business transacted in his district during the year, embracing all violations of the laws regulating vessels, and the action taken in relation to the same; all investigations and decisions by local inspectors; and all cases of appeal and the result thereof. The board shall examine into all the acts of each supervising inspector and local board, and all complaints made against same, in relation to the performance of their duties under the law, and the judgment of the board in each case shall be entered upon their journal; and the board shall, as far as possible, correct mistakes where they exist."

SEC. 2. That this act shall take effect and be in force on and after the 1st day of July, 1912.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Missouri [Mr. ALEXANDER] if it is desired to have this law take effect so as to require reports for this fiscal year?

Mr. ALEXANDER. I think that is true.

Mr. MANN. I notice the bill does not provide that the law take effect until the 1st of July, which would not require reports for this fiscal year.

Mr. ALEXANDER. I do not know whether it was an inadvertence of the department in drawing the bill or not.

Mr. MANN. I think it would be well enough to amend it so as to make the reports for the next fiscal year, ending June 30, 1913.

Mr. ALEXANDER. But with the bill as it now stands, making the law take effect the 1st day of July, there will be no provision in the law whatever for a report between the 1st of January and the 30th of June, because they will not be authorized under this bill to make a report for this fiscal year under the present law. Under the present law they are only authorized to make reports for the calendar year. That provision is repealed, and this law does not take effect until after the 1st of July, at the end of the fiscal year. I call it to the attention of the gentleman so that if that situation arises it might be corrected in another body. I think it leaves no provision for any report between the 1st of January and the 30th of June. I will call the attention of the department to that.

Mr. MANN. Probably the gentleman thought that making it the 1st of July would require a report for this fiscal year. This fiscal year ends on the 30th of June.

Mr. ALEXANDER. I understand what the gentleman means, and I think his criticism is well taken. I will call it to the attention of the department.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments joint resolution (H. J. Res. 254) congratulating the people of China on their assumption of the powers, duties, and responsibilities of self-government, in which the concurrence of the House of Representatives was requested.

#### GRANTING SCHOOL LANDS TO THE STATE OF LOUISIANA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20114) granting school lands to the State of Louisiana.

The Clerk read the bill, as follows:

A bill (H. R. 20114) granting school lands to the State of Louisiana. *Be it enacted, etc.*, That all the unsurveyed lands in the State of Louisiana which are shown by official protraction of the Government surveys heretofore made to be embraced within sections numbered 16 and which lie in the same township as lands which have been certified or patented in that State under the act approved March 2, 1849, entitled "An act to aid the State of Louisiana in draining swamp lands therein," and the act approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim swamp lands within their limits," be, and the same are hereby, fixed, reserved, and confirmed to that State as though the official surveys had been regularly extended over such townships.

The SPEAKER. Is there objection?

Mr. MARTIN of South Dakota. Mr. Speaker, reserving the right to object, I would like to ask how many acres of land are involved in this bill?

Mr. ESTOPINAL. I do not know the exact acreage, but there may be several hundred acres.

Mr. MARTIN of South Dakota. I see no report from the Interior Department on the bill. Has any report been obtained?

Mr. ESTOPINAL. I have a report which I will send to the Clerk's desk.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

Mr. ESTOPINAL, from the Committee on the Public Lands, submitted the following report (to accompany H. R. 20114):

The Committee on the Public Lands, to whom was referred the bill (H. R. 20114) granting school lands to the State of Louisiana, submit the following report—

Mr. MARTIN of South Dakota. Mr. Speaker, I have seen the report of the committee and have read it. I call the attention of the gentleman from Louisiana to the fact that there appears to be no report from the Interior Department. Has there been such a report from the Interior Department?

Mr. ESTOPINAL. Yes; there has been such a report. I send it to the Clerk's desk and ask to have it read.

The SPEAKER. The Clerk will read the report from the Interior Department.

The Clerk read as follows:

LETTER TO ACCOMPANY HOUSE REPORT NO. 355, DATED FEBRUARY 24, 1912, ON H. R. 20114.

DEPARTMENT OF THE INTERIOR,  
Washington, February 2, 1912.

HON. ALBERT ESTOPINAL,  
House of Representatives.

Sir: I am in receipt of your request for the views of this department on H. R. 17042, "A bill for the approval to the State of Louisiana of certain swamp lands."

Lands have heretofore been patented to the State of Louisiana under the swamp-land acts in certain unsurveyed townships where the lines of the townships were fixed by protraction. There are in these townships certain lands which will, when surveyed, pass to the State as section 16 under its grant for the support of public schools, but these lands can not be patented until the surveys have been made and approved, and the fact that the swamp lands have already been patented renders a survey unnecessary and none will therefore probably be made. The object of the bill is to vest in the State the title in the lands which would be section 16 if surveyed.

I know of no objection to the passage of such a bill, but would suggest as a substitute for the pending bill the following:

"A bill granting school lands to the State of Louisiana.

*Be it enacted, etc.*, That all the unsurveyed lands in the State of Louisiana which are shown by official protraction of the Government surveys heretofore made to be embraced within sections No. 16, and which lie in the same township as lands which have been certified or patented in that State under the act approved March 2, 1849, entitled "An act to aid the State of Louisiana in draining swamp lands therein," and the act approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim 'swamp lands' within their limits," be, and the same are hereby, fixed, reserved, and confirmed to that State as though the official surveys had been regularly extended over such townships."

Your attention is called to the fact that the title of the bill proposed is misleading in that it purports to be a bill for the approval of "certain swamp lands," and it would be better to entitle it as above suggested.

Very respectfully,

SAMUEL ADAMS,  
First Assistant Secretary.

Mr. ESTOPINAL. Mr. Speaker, I wish to say that that report was adopted as the bill, and that is the bill now before the House. But a bill similar to this one has passed the Senate, and I now ask unanimous consent that the Senate bill be substituted for the House bill.

The SPEAKER. It is not time to do that yet. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. ESTOPINAL. Mr. Speaker, I ask unanimous consent that it be considered in the House, and that the Senate bill be substituted therefor.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that the bill be considered in the House as in Committee of the Whole, and that the Senate bill be substituted for the House bill. Is there objection?

Mr. MACON. Mr. Speaker, reserving the right to object, I would like to hear the Senate bill read.

The SPEAKER. The Clerk will read the Senate bill. The Clerk read as follows:

An act (S. 5059) granting school lands to the State of Louisiana.

*Be it enacted, etc.*, That all the unsurveyed lands in the State of Louisiana which are shown by official protraction of the Government surveys heretofore made to be embraced within sections No. 16 and which lie in the same township as lands which have been certified or patented in that State under the act approved March 2, 1849, entitled "An act to aid the State of Louisiana in draining swamp lands therein," and the act approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim swamp lands within their limits," be, and the same are hereby, fixed, reserved, and confirmed to that State as though the official surveys had been regularly extended over such townships.

Mr. ESTOPINAL. Mr. Speaker, is this the proper time to offer an amendment under unanimous consent? If so, I would like to offer an amendment which was suggested by the department.

The SPEAKER. The gentleman does not have to have unanimous consent to offer an amendment, but he has to have unanimous consent for the other request. Is there objection?

Mr. MACON. I object to the substitute at this time, because it seems to affect Arkansas lands. I want to hear the bill read again before I consent to the adoption or consideration of the substitute.

Mr. ESTOPINAL. It is Louisiana land.

Mr. MACON. Is there nothing in there about Arkansas lands? I understood the Clerk to read something about Arkansas lands.

The SPEAKER. The word "Arkansas" is used in quoting the act.

Mr. ESTOPINAL. It does not affect Arkansas lands.

Mr. MACON. With that understanding, I will withdraw my objection, Mr. Speaker.

Mr. ESTOPINAL. Mr. Speaker, I offer an amendment, after the word "State," on line 3 of this bill, to insert "for the benefit of the public schools." That is on page 2.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Louisiana [Mr. ESTOPINAL].

The Clerk read as follows:

On page 2, line 1, of said bill insert, after the word "State," the words "for the benefit of public schools."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the amended Senate bill.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ESTOPINAL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

By unanimous consent, the corresponding House bill, H. R. 20114, was laid on the table.

GRAND ARMY OF THE REPUBLIC ENCAMPMENT, PULLMAN, WASH.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 77, authorizing the Secretary of War to loan certain tents for the use of the Grand Army of the Republic encampment, to be held at Pullman, Wash., in June, 1912.

The joint resolution was read, as follows:

*Resolved, etc.*, That the Secretary of War be, and is hereby, authorized to loan, at his discretion, to the general committee of the Grand Army of the Republic encampment, to be held at Pullman, Wash., in the month of June, 1912, such tents, with necessary poles, ridges, and pins, as may be required at said encampment: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to said committee designated at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and A. B. Baker, chairman of said general committee: *And provided further*, That the Secretary of War shall, before delivering such property, take from said A. G. Baker a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, evidently there is an error in the printing of Mr. Baker's name. In one place it is printed A. B. Baker and in a subsequent line it is printed A. G. Baker. That might cause some difficulty. It ought to be the same in both places, even if it is wrong.

Mr. LA FOLLETTE. His name is A. B. Baker.

Mr. MANN. I am informed by the gentleman from Washington that his name is A. B. Baker. I suggest that correction.

The SPEAKER. If there be no objection, that amendment will be agreed to.

Mr. HAY. In line 6, page 2, strike out "G" and insert "B." The amendment was agreed to.

The joint resolution as amended was ordered to a third reading, and was accordingly read the third time and passed.

BRIDGE ACROSS MISSOURI RIVER, SOUTH SIOUX CITY, NEBR.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21821) to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa.

The bill was read, as follows:

*Be it enacted, etc.*, That the city of South Sioux City, in the county of Dakota and State of Nebraska, a municipal corporation organized under the laws of the States of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge, and approaches thereto, across the Missouri River, at a point suitable to the interests of navigation, at or near South Sioux City, in the county of Dakota, in the State of Nebraska, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 28, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

TREATY OF SEPTEMBER 28, 1830, WITH CHOCTAW INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15361) to correct an error in the supplemental treaty of September 28, 1830, made with the Choctaw Indians, and for other purposes.

The bill was read, as follows:

Whereas by article 2 of the supplementary articles, executed September 28, 1830, to the treaty of September 27, 1830, signed and executed at Dancing Rabbit Creek by the commissioners of the United States and the chiefs and headmen of the Choctaw Nation of Indians, a section and a half of land was reserved to each of certain Choctaw Indians intended therein to be named; and

Whereas there was named in said article 2 Thomas Garland, when the correct name should have been Thomas Wall, one of the intended reservees, which error was subsequent to the date of said supplemental articles discovered; thereupon George W. Martin, a representative of the War Department, set apart to the said Thomas Wall, under the provisions of said supplemental treaty, section 8 and the west half of section 9, in township 19 north, range 16 east, Choctaw meridian, Mississippi, in lieu of any reservation to the said Thomas Garland; and

Whereas on September 3, 1831, William Ward, Choctaw agent, and Greenwood Leflore, Mooshalatubbee, Natuckachy, David Folsom, and Joel H. Nail, chiefs and headmen of the Choctaw Nation, executed a certificate saying that the reservation granted to Thomas Garland in the supplement to the treaty was intended to be given to Thomas Wall, there being no such person in the Choctaw Nation as Thomas Garland, and that the fact of Thomas Wall being the person to whom the reservation was intended to be granted was universally known and admitted by everyone acquainted with the objects of the treaty; and

Whereas the records of the Indian Office show that on December 11, 1833, Thomas Wall made a deed to Anthony Winston covering said tracts, and the sale was approved by Anthony A. Kincannon, who was a commissioner appointed by the War Department to examine into and report on sales made by reservees in accordance with the provisions of the treaty; and

Whereas said sale was never submitted to the President for approval: Now therefore

*Be it enacted, etc.*, That the said reservation of section 8 and the west half of section 9, in township 19 north, range 16 east, Choctaw meridian, Mississippi, to Thomas Wall, and the sale thereof by him to Anthony Winston, made on December 11, 1833, be, and the same are hereby, approved, and the title thereto confirmed in the said Thomas Wall and his vendee, the said Anthony Winston; and the Commissioner of the General Land Office is hereby authorized and directed to cause the proper entries to be made upon the land records of the land office at Jackson, Miss., and of the General Land Office, showing that said land was reserved to the said Thomas Wall.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, evidently there was a mistake in the reprint of the bill, through the inadvertence of some one, because the committee, in reporting it, recommended that the whereas be stricken out and that all after the enacting clause be stricken out and new matter inserted; but that is not shown in the print of the bill. I should like to have the gentleman in charge of the bill state what his purpose is if the bill is allowed to come before the House by unanimous consent?

Mr. CANDLER. Mr. Speaker, I ask unanimous consent that all the whereas be stricken out and everything after the enacting clause be stricken out, and that the amendment proposed by the committee be inserted after the enacting clause.

The SPEAKER. The first thing to do is to get unanimous consent for the consideration of the bill.

Mr. MANN. Reserving the right to object, I should like to know what the gentleman's amendment is. Will the gentleman have it read for information?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior is hereby authorized to issue a patent to Thomas Wall, now deceased, formerly of Mississippi, for the

following-described tracts of land: All of section 8 and the west half of section 9 in township 19 north of range 16 east, Choctaw meridian, Mississippi, and that the sale of said land by said Thomas Wall to Anthony Winston is hereby approved."

Mr. MANN. Mr. Speaker, while the report on this bill, in the form in which it was printed, was somewhat badly done, to say the least, the report of the department on the bill is equally sloppy.

I will not object to the bill, with the amendment which the gentleman offers, although I suggest that, having stricken out the preamble and then all of the bill, it will be necessary to amend the title, which the committee did not even recommend.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CANDLER. Mr. Speaker, I now offer my amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior is hereby authorized to issue a patent to Thomas Wall, now deceased, formerly of Mississippi, for the following-described tracts of land: All of section 8 and the west half of section 9 in township 19 north of range 16 east, Choctaw meridian, Mississippi, and that the sale of said land by said Thomas Wall to Anthony Winston is hereby approved."

The amendment was agreed to.

Mr. MANN. Now, the question is, I take it, on striking out the preamble.

The SPEAKER. The Chair understood that the amendment was to strike out everything after the enacting clause.

Mr. MANN. The preamble comes before the enacting clause.

The SPEAKER. The question is on striking out the preamble.

The amendment striking out the preamble was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

Mr. FERRIS. Mr. Speaker, I suggest that the title should be amended so as to read: "A bill providing for the patent of certain lands to Thomas Wall in the State of Mississippi."

The SPEAKER. Without objection, the title will be so amended.

There was no objection.

On motion of Mr. CANDLER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### LAND FOR PUBLIC HIGHWAY IN CADDO COUNTY, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16611) setting apart a certain tract of land for a public highway, and for other purposes.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That a tract of land 66 feet wide and about three-fourths of a mile in length, situate in Caddo County, State of Oklahoma, described as follows, to wit: Beginning on the section line between sections 14 and 15, township No. 7 north, range 10 west of the Indian meridian, at a point 66 feet south of the right of way of the Chicago, Rock Island & Pacific Railway, thence east on a line parallel with the right of way of said railway for a distance of about three-fourths of a mile to the intersection of the public highway running north and south, be, and the same is hereby, set apart as a public highway for the use of the public as such: *Provided*, That should said highway ever be vacated by any competent authority the title to the said described tract of land shall inure to the then owner of the tract of which it formed a part by the original survey.

The SPEAKER. Is there objection?

Mr. STEPHENS of Texas. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Oklahoma a question as to how the bill came to be passed upon by the Committee on Public Lands instead of the Committee on Indian Affairs, to which it properly belongs?

Mr. MORGAN. In answer to the gentleman I will say that the question of jurisdiction was raised, and I am sure there is no disposition on the part of the Committee on Public Lands to usurp any privileges that belong to the Committee on Indian Affairs. But, as shown by the letter of the Secretary of the Interior, a copy of which is in the report, these lands are not Indian lands. By treaty with the Indians they ceded all right, title, and interest to these lands, and hence my view of it was, and I think I am correct, that as a matter of fact they are public lands and properly belong to the jurisdiction of the Committee on Public Lands.

Mr. STEPHENS of Texas. Is it not a fact that this was a part of the original Comanche, Apache, and Kiowa Reservation?

Mr. MORGAN. Yes.

Mr. STEPHENS of Texas. And this part was reserved for agency purposes and is being used now for agency purposes?

Mr. MORGAN. It is being used now for agency purposes.

Mr. STEPHENS of Texas. And this road is across this tract of land belonging to the Indians, and it is being used for agency purposes?

Mr. MORGAN. Yes.

Mr. STEPHENS of Texas. As long as it is under control of the Indian agent, is not the Indian agent under the control of the Indian commission, and does not the Indian Committee have control of all matters of this character?

Mr. MORGAN. As I understand, these lands have been reserved by the Interior Department for the Government for agency purposes, and the Indians absolutely have no right, title, or interest to the land because they ceded the land back to the Government, and it was merely reserved by the Secretary of the Interior for the use of the United States and not for the use of the Indians. It is entirely a United States reservation.

Mr. STEPHENS of Texas. Is it not under the control and direction of the Indian agency and immediately under the control of the Commissioner of Indian Affairs?

Mr. MORGAN. I think the gentleman is right about that.

Mr. STEPHENS of Texas. I will state that I see no objection to the bill, but I think it is a very bad practice for a gentleman to introduce a bill and put it in the wrong committee, even if he does happen to be a member of that committee. I do not think it is a practice that I can stand for in the future.

Mr. MANN. Mr. Speaker, reserving the right to object, it seems to me that I have a much more valid criticism of the bill than has the gentleman from Texas, although I think his criticism was good.

I notice on an examination of the bill that in describing the land it only describes one side of it. In my experience with real estate if you want to describe a piece of land you have to bound the four sides of it in order to describe it properly. It is not sufficient to bound one side of it. I will ask the gentleman, as he must have had his attention attracted to it by reading the bill, whether he is prepared, if the bill is considered, to bound the four sides of this tract instead of only one side?

Mr. MORGAN. In answer to the gentleman from Illinois, I will state that my attention was called to the failure to make a correct description by the distinguished gentleman from Illinois, and after a reexamination of it I concluded that he was correct. I then went to the office of the Commissioner of Indian Affairs, to the maps, and went over the matter, and have prepared an amendment describing both sides of the road.

Mr. MANN. May I ask the gentleman a further question? On page 2 of the bill there is a proviso which reads:

*Provided*, That should said highway ever be vacated by any competent authority the title to the said described tract of land shall inure to the then owner of the tract of which it formed a part by the original survey.

Suppose this highway should be abandoned and not used as a highway, but not vacated by any competent authority, does not the gentleman think that the title ought to pass then, and would the gentleman have any objection to an amendment to insert, in line 7, on page 2, after the word "be," the words "abandoned or," so that it would provide for the disposition of the land in case the highway is abandoned or vacated?

Mr. MORGAN. I would have no objection whatever to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MANN. Mr. Speaker, I ask unanimous consent that we consider the bill in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the word "such," insert the words "on condition that the city of Anadarko, Okla., erect a substantial and suitable fence along the south side of the road hereby set apart, subject to the approval of the Secretary of the Interior: *Provided*."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MORGAN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 1 strike out all in line 5 after the colon, and all of lines 6, 7, 8, 9, 10, and 11, and on page 2 strike out all of line 1 except the word "be" and the commas which precede and follow it, and insert in lieu of all the foregoing the following: "Beginning at the point where the south line of the right of way of the Chicago, Rock Island & Pacific Railway crosses the section line between sections 14 and 15, township No. 7 north, range 10 west of the Indian meridian; thence south along said section line 66 feet; thence easterly along a line parallel with the right of way of said railway for a distance of about three-quarters of a mile, to the west line of the public highway running north and south; thence north along the west line of said public highway 66 feet; thence westerly along the south line of the right of way of the aforesaid railway to the place of beginning."

The SPEAKER. The question is on agreeing to the amendment.

Mr. RAKER. Mr. Speaker, I would like to ask the gentleman in charge of the bill what is the purpose of the amendment?

Mr. MORGAN. It is to more definitely describe the highway. After examining the description in the original bill, I concluded that the highway was not definitely located.

Mr. RAKER. I understand that the Indian Department made a report, and also the Department of the Interior, taking the language of the original bill upon which to base that report. Have they gone over this amended description?

Mr. MORGAN. No, sir.

Mr. MANN. If the gentleman will permit, I will say that the bill evidently intended to grant a piece of land for a highway about three-quarters of a mile long on the south side of a railroad right of way. That is shown by the language of the bill, but in describing the tract it described only the south line of the tract and did not bound the other three sides. The gentleman from Oklahoma has merely perfected that by running the north boundary line along the right of way of the railroad and connecting the south boundary line at the two ends with the right of way.

Mr. RAKER. In other words, describing a tract of land three-quarters of a mile long and 60 feet wide, or whatever the width may be?

Mr. MANN. Yes.

Mr. RAKER. The width is not described in the present bill?

Mr. MANN. It located the south line 66 feet south of the railroad right of way, but that was the only description there was in it.

Mr. RAKER. What I wanted to know was whether or not the intention is to describe the same piece of land that was attempted to be described in the original bill?

Mr. MORGAN. That is the purpose of the amendment.

Mr. MANN. It is precisely the same piece of land.

Mr. RAKER. That settles it.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to amend page 2, line 7, by inserting after the word "be" the words "abandoned, or."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 7, after the word "be," insert the words "abandoned, or."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

#### BRIDGE ACROSS SABINE-NECHES CANAL, PORT ARTHUR, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21960) to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur.

The Clerk read as follows:

*Be it enacted, etc.,* That the Port Arthur Pleasure Pier Co., a corporation existing under the laws of the State of Texas, and its assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Sabine-Neches Canal, at a point suitable to the interests of navigation, in front of the town of Port Arthur, in the county of Jefferson, in the State of Texas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DIES. Mr. Speaker, I ask unanimous consent that this bill, which is on the Union Calendar, be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Texas asks unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The committee amendment was read as follows:

On page 2, line 2, after the word "six," insert the words "Provided, That the said Port Arthur Pleasure Pier Co. is also authorized to cross and occupy with the aforesaid bridge the land owned by the United States adjacent to and along said canal under such terms and conditions as the Secretary of War may deem equitable and fair to the public."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DIES, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### IMPORTATION OF ADULTERATED AND LOW-GRADE SEEDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22340) to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated seeds and seeds unfit for seeding purposes.

The Clerk read as follows:

*Be it enacted, etc.,* That from and after six months after the passage of this act the importation into the United States of seeds of alfalfa, barley, Canadian blue grass, Kentucky blue grass, awnless brome grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, redtop, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this act, is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however,* That such seed may be delivered to the owner or consignee thereof under bond, to be reclaimed in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further,* That this act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes.

SEC. 2. That seed shall be considered adulterated within the meaning of this act—

First. When seed of red clover contains more than 3 per cent by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Second. When seed of alfalfa contains more than 3 per cent by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Third. When any kind or variety of the seeds, or any mixture described in section 1 of this act, contains more than 5 per cent by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided,* That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this act—

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to 5 grams of clover or alfalfa seed, respectively.

Second. When any kind or variety of the seeds or any mixture described in section 1 of this act contains more than 3 per cent by weight of seeds of weeds.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Speaker, I see there is a provision that the Secretary of Agriculture shall take the seed and have it cleaned, or it shall be cleaned before put on the market.

Mr. MANN. All seed that does not come up to standard when imported may be cleaned under regulations of the Secretary of Agriculture.

Mr. BARTLETT. By giving bond for it.

Mr. FOSTER. That is the only way in which they can take that adulterated seed and clean it?

Mr. MANN. They would either have to return it or clean it. If they can clean it under regulations and have control of the disposition of the refuse, which might be used for chicken feed or bird seed or something of that sort, why they would do it.

Mr. FOSTER. And the regulations are left to the Secretary of Agriculture. Of course, I realize that the adulterated portion taken from the seed, unless it is properly disposed of, might be just as harmful—

Mr. MANN. Yes; but the Secretary makes regulations as to the disposition and says there is no difficulty about that.

Mr. FOSTER. Is this bill to be administered by the customs officials through the Secretary of Agriculture where the seed is admitted into the country?

Mr. MANN. Well, they would do as they do now. As a matter of fact, when an importation is made the customs officials would furnish a sample to the Secretary of Agriculture for examination.

Mr. FOSTER. Each sample when it is brought over?

Mr. MANN. If there is any question about it.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield? Does the bill except from its provisions importations of wheat? I thought I caught it in the reading.

Mr. MANN. Not wheat used for seed purposes, but wheat which is not intended for seed is excepted, of course.

Mr. MURDOCK. I would like to ask the gentleman, also, is it practicable to determine adulteration in seed such as grass seed?

Mr. MANN. Oh, yes.

Mr. MURDOCK. It is easily done?

Mr. MANN. It is easily done, very easily done.

Mr. MURDOCK. I have heard that questioned in regard to blue-grass seed, that there is difficulty in telling—that there was a certain amount of normal adulteration in any seed.

Mr. MANN. Of course, a degree of tolerance is specified, and I may say that has been agreed upon by the seed people and accepted by the Department of Agriculture. It is fixed in here.

Mr. MURDOCK. Have we any law in the United States similar to this in regard to domestic seeds?

Mr. MANN. We have not.

Mr. MURDOCK. And this accomplishes what, then?

Mr. MANN. This accomplishes the prevention of the importation into the United States of those seeds for adulteration purposes. In other words, nearly every civilized nation to-day has a law prohibiting the sale of certain classes of seed in their own country and prohibiting the importation of those seeds into those countries.

And we are, not so much in the last few years as we were before, the dumping ground of the world for poor seed, and it is brought in for the purpose of sale or adulteration, especially alfalfa and clover seed and seeds of that character.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### STEAMERS "SYRACUSE" AND "BOSTON."

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22580) to authorize a change of the name of the steamers *Syracuse* and *Boston*.

The Clerk read as follows:

*Be it enacted, etc.*, That the Commissioner of Navigation is hereby authorized and directed, upon application of the owner, the Port Huron & Duluth Steamship Co., of Port Huron, Mich., to change the name of the steamer *Syracuse*, official number 116025, and to change the name of the steamer *Boston*, official number 3140.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### OLD POST-OFFICE BUILDING, CHARLESTON, S. C.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20688) transferring the custody and control of the old post-office building in the city of Charleston, S. C., from the Treasury Department to the Department of Commerce and Labor.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That the custody and control of the old post-office building, situated at the east end of Broad Street, in the city of Charleston, State of South Carolina, be, and the same is hereby, transferred from the Treasury Department to the Department of Commerce and Labor.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask some one what is the purpose of the transfer of this building?

Mr. LEGARE. Mr. Speaker, the Lighthouse Department is using this building now for its offices and clerks, and the control and custody is in the Treasury Department.

Mr. MURDOCK. To what purpose is the building to be put after this transfer?

Mr. LEGARE. The same purpose. They are using it now and have been using it for several years.

Mr. MURDOCK. They are now occupying the building?

Mr. LEGARE. They are now occupying the building and using it for that purpose. That is, one department is using it and the other department has the custody and control of it. We want to place the custody and control in the proper department.

Mr. AUSTIN. It has the unanimous support of the committee, Mr. Speaker.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LEGARE, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### POST-OFFICE PROPERTY, PROVIDENCE, R. I.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13774) providing for the sale of the old post-office property at Providence, R. I., by public auction.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the second paragraph of section 10 of the act of Congress entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," approved June 6, 1902 (32 Stats. L., p. 322), be, and it is hereby, amended so as to read as follows:

"When said building is completed and occupied by the United States authorities the Secretary of the Treasury is hereby authorized, in his discretion, to sell the present post-office, courthouse, and customhouse building and the site thereof, situated at the corner of Weybosset and Custom House Streets, in the city of Providence, and State of Rhode Island, at public auction, after proper advertisement, on such terms as

he may deem to be to the best interests of the United States; to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, it seems that they are not now to sell this property at an upset price of \$300,000, but this bill proposes an upset price of \$200,000.

Mr. O'SHAUNESSY. Mr. Speaker, if it is in order I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman can do that later.

Mr. O'SHAUNESSY. In answer to the gentleman from Illinois I want to say, in the bill providing for the building of the new post office and the sale of the old one, the upset price of \$300,000 was placed on the old building. The new building was completed in 1908, and from the 30th of November, 1908, until the present time the old building has been untenanted and unused. Efforts have been made by the Secretary of the Treasury to sell it for the price of \$300,000, but without success, and the Secretary has reported to the Committee on Public Buildings that the bill originally introduced by me providing for the sale of this old post office at public auction without stating any price would facilitate the disposition of this building. There is not any question that \$300,000 can not be obtained.

For the information of the committee, I would like to say that the value of the land upon which the old building stands is \$200,000, and the building upon it is unfit for commercial purposes to-day, and according to a report of the gentleman sent by the Treasury Department to make an investigation into the question, it will cost \$100,000 to make it tenatable for any Government purpose whatever.

Mr. MARTIN of South Dakota. Mr. Speaker, can the gentleman inform the House as to what was the original cost of that building?

Mr. O'SHAUNESSY. The original cost of the building was \$200,000. The building was constructed in 1857, and the land upon which it was built was originally tide flooded. It is estimated that it would cost \$50,000 to make the cellars dry. The roof is in a dilapidated condition. The building has not got lighting facilities.

Mr. MARTIN of South Dakota. Is this property well located with reference to business facilities in the city of Providence?

Mr. O'SHAUNESSY. I will say that it is admirably located.

Mr. MARTIN of South Dakota. Has there been any report from the Treasury Department, estimating what the present value of this property is?

Mr. O'SHAUNESSY. No. The Treasury Department has made investigations, and the best information I can get on that subject—information which, I believe, the Treasury Department indorses—is this fact: That its assessed value—though of course, being a Federal building, it is not actually assessed—is estimated to be \$200,000. That would be \$25 a square foot. Property on the south is about \$20 a square foot. Across the way, in the most desirable location for real-estate purposes in the city of Providence, the value of the land runs from \$22 to \$45 a square foot. Twenty-five dollars a square foot for this old post-office land is considered a very fair valuation.

I wanted the committee to report this bill making the upset price \$150,000, because there is serious doubt in my mind as to whether we can realize \$200,000 from it.

Mr. MARTIN of South Dakota. The gentleman believes, then, that the estimate of \$200,000 is a fair valuation of the property?

Mr. O'SHAUNESSY. I do.

Mr. RAKER. May I ask the gentleman who set that price?

Mr. O'SHAUNESSY. I presume Congress did. In the omnibus bill, providing for the erection of a new post office, there was a provision made that the old building should not be disposed of unless the price of \$300,000 was obtained.

Mr. RAKER. I understand that the land itself is estimated to be worth at least \$200,000?

Mr. O'SHAUNESSY. Yes; that is the report of the board of assessors. But they frequently make mistakes.

Mr. RAKER. What board of assessors is that?

Mr. O'SHAUNESSY. The board of assessors of Providence.

Mr. RAKER. What is the actual cash value of the building?

Mr. O'SHAUNESSY. They value the building for assessment purposes at \$60,000.

Now, I have letters from real-estate men down there who say that if anybody wanted to make use of the land they would have to tear down this building, because to make it tenatable or habitable it would require an expenditure of \$150,000 or \$200,000.

Mr. RAKER. Is the gentleman of the opinion that this property ought not to be struck off at public auction for any bid less than \$260,000?

Mr. O'SHAUNESSY. No; absolutely not. I know very well that that sum would never be obtained.

Mr. RAKER. If the land is estimated now by the board of assessors to be worth \$200,000 and the building is estimated to be worth \$80,000, it seems to me there ought to be some limitation put upon the auctioneer to the effect that unless he receives \$280,000 or more he can not sell the property.

Mr. O'SHAUNESSY. Yes; but here is a report to the effect that it would take \$150,000 to put the building in a habitable condition. Now, if you add \$150,000 to \$200,000, that would be \$350,000. That property is worth—

Mr. RAKER. Maybe the property would be worth \$600,000 or \$700,000 when it was put into that shape.

Mr. AUSTIN. Mr. Speaker, the committee has investigated this case carefully from time to time, and secured all the information it could from Providence, and this bill comes here with a unanimous report. No interest of the Government can suffer under the terms of this bill, because the Secretary of the Treasury will obtain for this property every dollar that any person is willing to pay for it.

Mr. RAKER. But there is no protection provided for the Government, so far as the auctioneer is concerned. He can let it go at \$200,000, if he cares to.

Mr. AUSTIN. The Secretary of the Treasury is authorized to sell it, provided it brings a sum not less than \$200,000.

Mr. RAKER. Is there any competition for the purchase of this building?

Mr. AUSTIN. Yes. The Government would be glad if the gentleman from California would bid \$250,000 on it.

Mr. RAKER. I would bid about 200 cents, unless the gentleman from Rhode Island will make the loan, without interest and without limit as to time; but that does not answer my objection. Because a Member of Congress is unable to buy buildings of this kind, I do not think he should stand idly by and permit action to be had, unless you provide that they shall not sell for less than a certain price.

Mr. AUSTIN. There is an upset price of \$200,000.

Mr. RAKER. Does the gentleman think that is sufficient?

Mr. AUSTIN. I think it is sufficient, and I think when the Member who represents the Providence district stands on the floor of this House and makes a statement about this property, its value, and so forth, his colleagues ought to accept that statement.

Mr. RAKER. I do not understand that my question implies any doubt of the gentleman's statement concerning anything that he is familiar with; but he is not here as a real estate agent, and does not so represent himself.

Mr. AUSTIN. He is here as the representative of the people of Providence, looking out and caring for their interests, and I would be governed by his statement about a local proposition, just as I would be influenced by a statement on a local proposition, if it was made by the gentleman from California concerning his own district.

Mr. MANN. Then, I should like to sell some land to the gentleman.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object, I should like to hear a further statement in reference to this.

Mr. PETERS. Has there not been an attempt already to sell this property at public auction at an upset price of \$300,000?

Mr. O'SHAUNESSY. From November 30, 1908, up to the present time there have been repeated attempts to sell the property for \$300,000, and those efforts have been absolutely unsuccessful and a flat failure. It is in order to get rid of an eyesore in the city of Providence, and in order to put money into the United States Treasury, which my colleagues ought to consider a very commendable effort on the part of any Representative—to put money into the Treasury of the United States—that I urge the passage of this bill [applause]; and incidentally to provide a taxpayer for the city of Providence, because the city of Providence does not get any benefit from it now, for no taxes are being paid upon it, and it is a detriment to real estate values in the neighborhood and a positive hindrance to the advance that ought to take place in an up-to-date city like Providence.

Mr. RAKER. In other words, I understand from the gentleman that he believes the property which the Government holds and is not using should be put in the hands of private owners and the Government get something for it, so as to build up the country.

Mr. O'SHAUNESSY. Absolutely.

Mr. RAKER. That is the gentleman's position on matters of this kind?

Mr. O'SHAUNESSY. Absolutely.

Mr. RAKER. Would that apply generally?

Mr. O'SHAUNESSY. If the Government wanted this property, I would be pleased to see it use the property; but I hate to see it lying there idle, a detriment to advance and a forbidding object to those who pass by it. I suppose we might say that it is only tenanted by the rats just at present. But if you open it up, enterprise will develop it and business will improve and the people in general will be satisfied. I know that my friend from California [Mr. RAKER] will be satisfied when he comes down and sees the change in the neighborhood.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. O'SHAUNESSY] asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, line 11, after the word "receipt," insert:  
"Provided, That said building and site shall not be sold for any sum less than \$200,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. O'SHAUNESSY, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

#### STATISTICS OF COTTON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19403) authorizing the Director of the Census to collect and publish statistics of cotton.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the amount of cotton ginned; the quantity of raw cotton consumed in manufacturing establishments of every character; the quantity of baled cotton on hand; the number of active consuming cotton spindles; and the quantity of cotton imported and exported, with the country of origin and destination.

SEC. 2. That the statistics of the quantity of cotton ginned shall show the quantity ginned from each crop prior to September 1, September 25, October 18, November 1, November 14, December 1, December 13, January 1, January 16, and March 1, and shall be published as soon as possible after these respective dates. The quantity of cotton consumed in manufacturing establishments, the quantity of baled cotton on hand, the number of active consuming cotton spindles, and the statistics of cotton imported and exported shall relate to each calendar month and shall be published as soon as possible after the close of the month. Each report published by the Bureau of the Census of the quantity of cotton ginned shall carry with it the latest available statistics concerning the quantity of cotton consumed, stocks of baled cotton on hand, the number of cotton-consuming spindles, and the quantity of cotton imported and exported. All of these publications containing statistics of cotton shall be mailed by the Director of the Census to all cotton ginners, cotton manufacturers, and cotton warehousemen, and to all daily newspapers throughout the United States. The Director of the Census shall furnish to the Bureau of Statistics of the Department of Agriculture, immediately prior to the publication of each report of that bureau regarding the cotton crop, the latest available statistics hereinbefore mentioned, and the said Bureau of Statistics shall publish the same in connection with each of its reports concerning cotton.

SEC. 3. That the information furnished by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purpose for which it is supplied. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provision of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than \$300 or more than \$1,000 or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

SEC. 4. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton gin, ginning, manufacturing establishment, warehouse, or other place where cotton is ginned, manufactured, or stored, whether conducted as a corporation, firm, limited partnership, or by individuals, when requested by the Director of the Census or by any special agent or other employee of the Bureau of the Census acting under the instructions of said director, to furnish completely and correctly, to the best of his knowledge, all of the information concerning the quantity of cotton ginned, consumed, or on hand, and the number of cotton-consuming spindles. The request of the Director of the Census for information concerning the quantity of cotton ginned or consumed, stocks of cotton on hand, and number of spindles may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail, and the registry receipt of the Post Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any cotton gin, ginning, manufacturing establishment, warehouse, or other place where cotton is ginned or stored, who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$300 or more than \$1,000 or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

SEC. 5. That in addition to the information regarding cotton in the United States hereinbefore provided for, the Director of the Census

shall compile, by correspondence or the use of published reports and documents, any available information concerning the production, consumption, and stocks of cotton in foreign countries, and the number of cotton-consuming spindles in such countries. Each report published by the Bureau of the Census regarding cotton shall contain an abstract of the latest available information obtained under the provisions of this section, and the Director of the Census shall furnish the same to the Department of Agriculture for publication in connection with the reports of that department concerning cotton in the same manner as in the case of statistics relating to the United States.

Sec. 6. That the joint resolution approved February 9, 1905, and the joint resolution approved March 2, 1909, and all other laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to say to the gentleman that a short time ago we passed a bill something like this relating to tobacco statistics. It may be highly desirable to pass a bill like this, but it is quite evident that if we do we will soon have bills in relation to the various grain statistics and other interests in the country. Hence, it seems to me quite desirable to have a bill very carefully considered and properly amended. As an illustration of this bill it provides for the repeal of the joint resolution approved March 2, 1909. That is the only description of the joint resolution of that date, any one of which would be covered by this provision, which does not seem to me to be a very careful preparation of the bill.

The committee that reports this bill will be reached before long on the ordinary calendar in the call of committees. Would it not be entirely satisfactory to the gentleman to let this bill go until that time, so that when it is perfected we may adopt a policy which very likely will be applied to other interests? I have no objection to the gathering of cotton statistics.

Mr. BELL of Georgia. We are willing to accept an amendment prepared by the gentleman from Illinois if he will offer it now.

Mr. MANN. I have not formulated any amendment, but this bill provides in several places for the duplication of the publication of reports. What reason can be given—there may be a very good one—why the Census Bureau should publish certain information and turn it over to the Agricultural Department to publish the same information? Why should the Agricultural Department publish certain information and turn it over to the Census Office to publish the same information? We duplicate more or less in the Government business, but I know of no other case where it is proposed to have the department publish a bulletin and send it to another department to be published again.

Mr. BELL of Georgia. It is the custom with reference to the reports of the amount of cotton ginned. The Director of the Census furnishes it to the Agricultural Department and the Agricultural Department publishes it in conjunction with their report.

Mr. MANN. But the gentleman does not claim that there is any occasion for both departments publishing precisely the same information, each sending it to every one interested in the country?

Mr. BELL of Georgia. There is no additional cost.

Mr. MANN. Of course there is an additional cost when two departments publish the same information.

Mr. HEFLIN. Mr. Speaker, the resolution that the gentleman refers to is one under which some statistics are being gathered regarding the amount of cotton on hand at the cotton factories. Now the purpose is to report the amount of cotton exported, the amount imported, the amount of cotton owned at the factory, the amount of cotton consumed, the amount of cotton ginned, all in one report. It is a very important measure, to the cotton producer especially. The ginners' reports coming out twice a month in the fall are published all over the country in the daily papers. The producer ought to have all the information about the cotton on hand at the mill and the cotton exported from this country, in order that he may know the situation of the cotton market here. He has not the information now, and this resolution will give him the information that he so much needs.

Mr. MANN. I say that, so far as I am concerned, I am willing to have all the information gathered and diffused throughout the country. As I said with reference to the resolution that was proposed to be repealed, who ever drew the bill—and I suppose it was drawn in the department—has drawn it very loosely, proposing to repeal a joint resolution of a certain date when there are three joint resolutions of that date, something which evidently no member of the committee had taken the trouble to look up, but I did.

Mr. HEFLIN. We are willing to have you offer an amendment to cure that defect.

Mr. MANN. I only referred to the joint resolution as an evidence of the loose preparation of the bill. Now, in that connection the bill says:

Each report published by the Bureau of the Census regarding cotton shall contain an abstract of the latest available information obtained under the provisions of this section, and the Director of the Census shall furnish the same to the Department of Agriculture for publication in connection with the reports of that department concerning cotton, in the same manner as in the case of statistics relating to the United States.

What is the object of republishing that by the Department of Agriculture?

Mr. HEFLIN. That is perfectly proper, because the Director of the Census sends out these statistics twice a month on the amount of cotton ginned during the ginning season. Then, when the Agricultural Department makes its report on the final production, the Director of the Census gives the statistics that he has on the amount of cotton ginned.

Mr. MANN. The gentleman from Alabama does not, any more than I, believe that as a rule it is necessary to have two departments publish precisely the same information and place it in the hands of the same people. No one would defend that practice. I do not know what the purpose is here.

Mr. HEFLIN. As I said before, one reports twice a month during the ginning season, and the other reports once a year. When the Secretary of Agriculture makes his final report, he gets a great deal of this information from the Director of the Census and gives the sum total.

Mr. MANN. How often does the Bureau of Statistics of the Department of Agriculture report on cotton?

Mr. HEFLIN. It reports annually as to the production of cotton.

Mr. MANN. I think it reports very much oftener than annually.

Mr. HEFLIN. It reports on crop conditions and crop estimates.

Mr. MANN. It reports every little while.

Mr. HEFLIN. Yes. On conditions of the crop, the prospects of the crop, and then finally as to what the final yield is.

Mr. MANN. But this requires publication of these census statistics with every report of the Department of Agriculture as to the condition of the crop a number of times a year.

Mr. HEFLIN. That can not be true, because there is no cotton ginned in the late spring or the summer. Cotton is ginned from about the last week in August until February.

Mr. MANN. But this information is not confined to cotton ginned. This information is not merely the ginning of the cotton. It covers the whole subject of the production and the consumption of cotton.

Mr. HEFLIN. That is true; but after the ginners' report stops we want this information about cotton on hand at the mills and the amount of cotton bought by foreign spinners to continue to go to the producer of cotton. It will give him information at the time he plants his crop, and he can determine whether to plant for a large crop or a small crop. He will know about the supply of cotton and how rapidly it is being consumed, and he ought to have this information.

Mr. MANN. Let me ask the gentleman further. A few weeks ago we passed a bill upon this subject which came from the Committee on Agriculture, covering the publication of these reports so that, as was then stated, the cotton raiser might know how much cotton to plant. This bill does not take into consideration at all the passage of that former bill, and in my judgment the two are in conflict from start to finish. What about that?

Mr. HEFLIN. I do not think so. We have been gathering these statistics, as I said before, as to the amount of cotton ginned, and about four years ago I introduced a resolution requiring the Director of the Census to gather statistics of the amount of cotton on hand at the cotton mills, and Mr. LEVER, of South Carolina, introduced one also. His resolution, as amended by the committee, passed. But under his resolution these statistics were gathered and published three times a year. We want these reports made at least once a month, and during the ginning season to be published with the ginners' report, which is at least twice a month.

Mr. MANN. But we passed a bill here the other day covering that.

Mr. HEFLIN. No; that did not relate to cotton.

Mr. MANN. I beg the gentleman's pardon. It related to nothing but cotton.

Mr. HEFLIN. What bill was that?

Mr. MANN. A bill that came from the Committee on Agriculture, I think, covering this same subject.

Mr. HEFLIN. Oh, the gentleman refers to the Lever bill. Not at all. That simply postponed to a later date than is now provided for the estimation of the amount of acreage in cotton, and the report on the condition of the cotton crop. That does not pertain at all to the kind of statistics here provided for. I introduced a resolution along this line at this session, and the gentleman from Arkansas [Mr. OLDFIELD] introduced a resolution and so did Mr. LEVER on this same subject. These resolutions were taken by the subcommittee of the Committee on the Census and the resolution under consideration now contains the provisions that my resolution had in it and some of the provisions contained in the resolutions of Mr. OLDFIELD and Mr. LEVER.

Mr. MANN. Unless I am very much mistaken, and I am inclined to rely upon my memory in this matter, the bill we passed the other day covers the collection of statistics relating to cotton.

Mr. HEFLIN. Not as to cotton ginned or manufactured or cotton on hand. It is the amount of acreage and the condition of the growing crop.

Mr. MANN. That may be.

Mr. HEFLIN. The gentleman has in mind the Lever bill, which relates to the growing cotton crop. The Lever bill provides that the report on the crop condition be made later than is now provided for, because the condition of the cotton crop may be excellent in June and very materially damaged in July, and if it is damaged then the good-condition report in June has seriously injured the cotton producer.

Mr. MANN. Mr. Speaker, I am willing to admit I know nothing on the subject of raising cotton or collecting information concerning it, and I shall not at this time interpose an objection in the face of the great demand of gentlemen here representing cotton-growing districts. I am quite confident that this bill ought to be amended in a good many particulars both in the interest of economy to the Government in publication and probably in the interest of the cotton raiser who wants to obtain the information. But that can not be done where it is considered in this way.

Mr. HEFLIN. The Director of the Census was present with myself, Mr. OLDFIELD, and Mr. LEVER when the subcommittee agreed on this resolution.

Mr. SLAYDEN. Mr. Speaker, I want to ask the gentleman one question in reference to this bill.

Mr. HEFLIN. Mr. Speaker, I will say to the gentleman from Illinois that if there is any change to be made in the phraseology of this resolution that can be done in the Senate, for we are very anxious to get this resolution passed to-day.

Mr. SLAYDEN. I want to say that I do not propose to object to the consideration of this bill, but there are some things in here the department will be compelled to do which, I think, entail an expense that is unnecessary and will do no good. Here it is:

All of these publications containing statistics of cotton shall be made by the Director of the Census to all cotton ginner, cotton manufacturers, and cotton warehousemen, and to all daily newspapers throughout the United States.

Now, Mr. Speaker, the gentleman knows that a matter of such importance, when it goes out here at Washington, is carried through the Associated Press to every newspaper in the country that has any interest whatever in the growing or marketing of cotton. That news goes into every cotton merchant's establishment, goes into all the cotton exchanges of the country, and from there is also immediately distributed. Now, you compel them here to go to the expense of sending these communications to these newspapers. Such information will arrive from 24 hours to 3 days after they have had the information, and it is an absolute unnecessary expense.

Mr. HEFLIN. Now, Mr. Speaker, I do not agree with the gentleman from Texas. I made the suggestion that this information ought to be mailed to the daily newspapers, and I will tell my friend from Texas why. The ginner's report is now published in these newspapers. We provided three years ago to collect statistics three times a year as to the cotton on hand at the factories. I have never seen one of those reports in a newspaper—

Mr. SLAYDEN. I did not catch the statement of the gentleman as to what provision had been made.

Mr. HEFLIN. The statistics gathered about three times a year of the amount of cotton on hand at cotton factories was provided for about three years ago, nearly four, and I have never seen one of those reports in a newspaper. I have seen the ginner's report often in various newspapers over the country. Now, this resolution provides that the amount of cotton on hand at factories shall be published on the same card with the amount of cotton ginned and how much cotton has been im-

ported and exported. Now, we propose to give this information to the producers of cotton and give it as much publicity as possible through the daily newspapers. All of the daily newspapers do not have the Associated Press service. These papers will publish these official statistic cards when they receive them, and by that means we give this information to the cotton belt at least and those who are mostly interested.

Mr. SLAYDEN. I shall not object to the consideration of the gentleman's resolution, but I do say that, in my judgment, it entails an unnecessary expense upon the Government.

Mr. HEFLIN. It will be a very little expense.

Mr. SLAYDEN. Why, you must have clerks to prepare the information, you must have clerks to mail the information, and then comes the cost of transporting the information which, when they get it, is some three or four days old. I want to say while I am on that question that I do not believe the South is benefited by all the statistical work that has been done. In the old days when the Department of Agriculture made an estimate of the crop they invariably, at least in nineteen times out of twenty, guessed in favor of the farmer. Now the amount of cotton ginned every month is presumed to be counted accurately, and an increase in the size of the crop is indicated; if there is a larger yield, the notice of that increased yield is bound to have its influence on the market. Personally, as a man who grows cotton and has been interested in it, I would rather have the old condition when the Department of Agriculture guessed in favor of the farmer.

Mr. HEFLIN. I want to say to my friend, in that connection, that I was not in Congress when the act was passed requiring the ginner to report, but since we have the ginner's report I want as full and complete information from the manufacturers and as to exportation and importation of cotton as is possible. And I will say further to my friend, if the Government did not make these gin reports, you have a national association now that does, and the speculator would indulge in what they would call a ginner's report, and if we are going to have these reports at all I prefer to have the sanction of the Government back of them, in order that we may regulate them.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BELL of Georgia. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Georgia [Mr. BELL] asks unanimous consent that it may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Illinois [Mr. MANN] has offered an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 9, after the word "resolution," insert the following: "Authorizing the Director of the Census to collect and publish additional statistics."

Mr. MANN. That simply identifies the resolution.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. HEFLIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### RELIEF OF SCIENTIFIC INSTITUTIONS OR COLLEGES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16690) for the relief of scientific institutions or colleges of learning having violated sections 3297 and 3297a of the Revised Statutes and the regulations thereunder.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue is authorized on appeal to him made to abate, remit, and refund all taxes or assessments for taxes the liability for which is asserted against any scientific institution or college of learning on account of any alcohol withdrawn from bond free of tax in accordance with the provisions of sections 3297 and 3297a, Revised Statutes, and not used as authorized by the above-mentioned law and regulations thereunder: *Provided*, That no assessment made of tax imposed shall be abated or refunded as to any alcohol so withdrawn and used for beverage purposes: *And provided further*, That all applications for relief under this act shall be filed on or before July 1, 1912, and no liability incurred on or after January 1, 1912, shall be relieved against hereunder.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object, I would like to have an explanation about how much revenue is affected by virtue of this and how much penalty is involved?

Mr. KITCHIN. The department says it will be but a trifle. They did not figure up the amount.

Mr. RAKER. What is the object of the bill? Is it to relieve certain individuals from punishment?

Mr. KITCHIN. No; only to relieve scientific institutions of learning and hospitals using alcohol for purposes authorized, but not using it in the manner prescribed by the rules of the department. The Secretary of the Treasury has the power to permit them to use alcohol without payment of the tax, but it made a ruling they should denature it before using. Some of these hospitals and institutions—most of them hospitals—used it for purposes authorized without denaturing it, and, as the department says, unwittingly incurred the penalties.

Mr. RAKER. Can the gentleman give an idea about how much is involved, so far as penalties are concerned?

Mr. KITCHIN. Most of the penalties incurred are by the hospitals. We have not the figures for all. The hospitals in Washington are liable to something like \$10,000 or \$15,000, and much more by the hospitals in Baltimore.

Mr. RAKER. The penalty?

Mr. KITCHIN. The penalty.

Mr. MANN. The amount involved would be mostly penalties.

Mr. KITCHIN. There is no other amount involved but penalties.

Mr. RAKER. Is it not somewhat remarkable that scientific institutions and colleges of learning, that should have knowledge of these matters, should come in and be relieved from punishment when the ordinary man throughout the country, the moment he is found violating the law, is jerked up or slammed into prison and the penalty is heaped upon him without even a chance for explaining?

Mr. KITCHIN. No such situation is presented here. These hospitals used the alcohol for the purpose authorized by the statute, but they just did not denature it before using it, as prescribed by the rules of the department.

Mr. RAKER. I see.

Mr. KITCHIN. Under the act passed years ago if they simply failed to denature 1 pint of a barrel of alcohol they were liable to penalty of double the tax on the whole barrel, although they might denature the rest of the 50 gallons.

The Committee on Ways and Means considered this bill very carefully and its opinion was unanimous.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. KITCHIN. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. I offer the following committee amendment.

The Clerk read as follows:

After the word "Revenue," in the third line on page 1, insert the words "with the approval of the Secretary of the Treasury."

Amendment No. 2. Strike out the words beginning with "on," in line 5, page 2, and ending with the word "January," in line 7, page 2, and insert in lieu thereof the following: "in the office of the Commissioner of Internal Revenue within one year from the date of the approval of this act, and no liability incurred on or after March."

Mr. MANN. Mr. Speaker—

The SPEAKER. The question is on agreeing to the amendment.

Mr. MANN. Mr. Speaker, I would like to know what the amendment provides. It is impossible to tell.

Mr. KITCHIN. The amendment provides that before remitting the penalties they must have the approval of the Secretary of the Treasury.

Mr. MANN. I understand that.

Mr. KITCHIN. Then, on the second amendment—

Mr. MANN. What does the second amendment strike out?

Mr. KITCHIN. It strikes out the words in lines 5 and 6, to wit, "on or before July 1, 1912, and no liability incurred on or after."

Mr. MANN. That is on page 2?

Mr. KITCHIN. Yes; that is on page 2.

Mr. MANN. The Clerk read, "On line 5, strike out," and so forth.

Mr. KITCHIN. He read the second amendment. Let the Clerk read that again.

The Clerk read as follows:

Strike out the words beginning with the word "on," in line 5, page 2, and ending with the word "January," in line 7, page 2, and insert in lieu thereof the following: "in the office of the Commissioner of Internal Revenue within one year from the date of the approval of this act, and no liability incurred on or after March."

The SPEAKER. The question is on agreeing to the amendment just read.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the other amendment.

The Clerk read as follows:

After the word "revenue," in the third line on page 1, insert the words "with the approval of the Secretary of the Treasury."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read a third time, was accordingly read the third time and passed.

On motion of Mr. KITCHIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### COAL LANDS IN ALABAMA.

The next business on the Calendar for Unanimous Consent was the bill (S. 244) extending the operation of the act of June 10, 1910, to coal lands in Alabama.

The Clerk read the bill, as follows:

An act (S. 244) extending the operation of the act of June 10, 1910, to coal lands in Alabama.

*Be it enacted, etc.,* That all the public lands containing coal deposits in the State of Alabama which are now being withheld from homestead entry under the provisions of the act entitled "An act to exclude the public lands in Alabama from the operations of the laws relating to mineral lands," approved March 3, 1883, may be entered under the homestead laws of the United States subject to the provisions, terms, conditions, and limitations prescribed in the act entitled "An act to provide for agricultural entries on coal lands," approved June 10, 1910.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, this bill, I believe, was originally prepared in the department, as appears by the Senate report on the bill. But I notice the bill says that all of the public lands containing coal deposits in the State of Alabama shall be subject to homestead entry. That would make them subject to homestead entry despite the fact that there might be a public building on the land. Maybe that would not be subject to homestead entry, but there might be reserved lands.

Now, in all the bills of this kind that we have passed heretofore we have provided that the unreserved public lands shall be subject to homestead entry. I will ask the gentleman from Alabama [Mr. DENT] if he would be satisfied to strike out the words "all the" in line 3 and insert the word "unreserved," so that it would read "That unreserved public lands," and so forth? That will cover all the lands that are named in the report.

Mr. DENT. There is no objection to that, Mr. Speaker.

Mr. MANN. The gentleman sees the point. If you say "all the public lands" you do not know what you are authorizing a homestead upon.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will yield, I want to make this suggestion to the gentleman from Illinois [Mr. MANN]: The purpose of this bill is to make the public lands in Alabama conform to the general law.

Mr. MANN. The general law provides that unreserved lands shall be subject to homestead entry.

Mr. UNDERWOOD. I think the gentleman is mistaken in that. In 1883 a large number of mineral lands were being bought in Alabama under the general law.

Mr. MANN. I have examined that law.

Mr. UNDERWOOD. And there was a special bill passed as to Alabama for the purpose of withdrawing the mineral lands in the State, which takes in all the mineral lands in Alabama, where they can not be sold and can not come in under the preemption law, where these lands apply. Now, there were settlements on some of these coal lands that have not got workable coal on them. The purpose of this proposition is merely to let them perfect their homestead rights to the surface. Of course, if it was not for this statute that was passed in 1893, withdrawing these mineral lands in Alabama from being offered for sale under the general law, they would have been disposed of long ago or could be disposed of to-day.

Mr. MANN. Will the gentleman allow me to correct him, because he evidently has not read the act of 1883.

Mr. UNDERWOOD. Oh, yes; I have read it a good many times.

Mr. MANN. That act does not withdraw any land from sale. On the contrary, it provides that all land there shall be subject to sale, and expressly provides as to lands theretofore found to be mineral lands, that they must be offered for sale first. That is the difficulty about making a homestead entry on that land now. The law requires that it shall first be offered for sale.

Mr. UNDERWOOD. Undoubtedly.

Mr. MANN. I am perfectly willing that that land shall be homesteaded, but I do not want to have any land homesteaded that the Government has reserved for special purposes.

Mr. UNDERWOOD. There is no purpose in this bill to do that.

Mr. MANN. I understand that, but the language of the bill would have covered it.

Mr. DENT. I accept the amendment offered by the gentleman.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, in line 3, strike out the words "all the" and insert in lieu thereof the word "unreserved."

The amendment was agreed to.

Mr. MANN. There is a committee amendment in line 1, page 2.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, line 1, strike out the word "tenth" and insert in lieu thereof the word "twenty-second."

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. DENT a motion to reconsider the last vote was laid on the table.

By unanimous consent the title of the bill was amended in accordance with its text.

MANUEL AGÜERO Y JUNQUÉ, OF CUBA.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 91, authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Agüero y Junqué, of Cuba.

The joint resolution was read, as follows:

*Resolved, etc.*, That the Secretary of War be, and hereby is, authorized to permit Mr. Manuel Agüero y Junqué, of Cuba, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Manuel Agüero y Junqué shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the course in the various departments of instruction, and that the said Manuel Agüero y Junqué shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *And provided further*, That in the case of the said Manuel Agüero y Junqué the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to a third reading, and was accordingly read the third time, and passed.

HUMBERTO MENCIA AND JUAN DAWSON, OF SALVADOR.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 87, authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Messrs. Humberto Mencía and Juan Dawson, of Salvador.

The joint resolution was read, as follows:

*Resolved, etc.*, That the Secretary of War be, and hereby is, authorized to permit Messrs. Humberto Mencía and Juan Dawson, of Salvador, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Humberto Mencía and Juan Dawson shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give their utmost efforts to accomplish the course in the various departments of instruction, and that the said Humberto Mencía and Juan Dawson shall not be admitted to the academy until they shall have passed the mental and physical examinations prescribed for candidates from the United States, and that they, or either of them, shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *And provided further*, That in the cases of the said Humberto Mencía and Juan Dawson, the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection?

Mr. CANNON. Mr. Speaker, is this the Republic of San Salvador, or is it an insular possession?

The SPEAKER. It is the Republic of Salvador.

Mr. CANNON. How long has it been a Republic?

Mr. HAY. It has been a Republic off and on for a good while.

The SPEAKER. The Chair begs the pardon of the gentleman from Virginia. He thought the gentleman from Illinois was addressing the Chair for information.

Mr. CANNON. I was seeking information.

Mr. HAY. I am no more familiar with the history of the changing Government of Salvador than is the gentleman from Illinois.

Mr. CANNON. I was under the impression that San Salvador was an insular possession of Great Britain.

Mr. HAY. Oh, no; this is an independent government.

Mr. MURDOCK. If the gentleman will permit me, there is an island in the West Indies of that name which is an English possession.

Mr. HAY. This is an independent government, a government in Central America.

Mr. CANNON. Then it is not the island?

Mr. MANN. No. We had an arbitration with this country a few years ago. It is very evident that the names mentioned in the bill are not English names, so far as the race is concerned.

Mr. CANNON. Well, I am not getting much geographical information.

Mr. HAY. The gentleman has learned that it is an independent government in Central America.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. BARTLETT. Mr. Speaker, before the resolution is passed may I ask the gentleman from Virginia a question. Is it the policy of Congress to admit to the Military and Naval Academy generally people from foreign countries?

Mr. HAY. It is not; only from the Governments in Central and South America. There have been some from China and Japan admitted, but I do not recall any coming from European countries.

Mr. BARTLETT. Of course that can only be done by an act of Congress. It is difficult sometimes to get some of our own men into the academy.

Mr. HAY. This is a matter of courtesy; a matter which the State Department thinks ought to be done in order to encourage friendly feelings between these countries.

Mr. BARTLETT. Has the gentleman any expectation of legislation increasing the number at the Military Academy?

Mr. HAY. I have heard of none.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was read a third time\*and passed.

THE ROCKEFELLER FOUNDATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21532) to incorporate the Rockefeller Foundation.

The Clerk read the bill at length.

The SPEAKER. Is there objection?

Mr. SHACKLEFORD. Mr. Speaker, reserving the right to object to this bill, I want to say that I have not had time to fully consider it, as other Members of the House have not. I desire to say that I am opposed, on principle, to special charters being granted by Congress. I do not know precisely what the provisions of this bill are, but I fear that under the guise of an eleemosynary corporation they will be permitted to transact business of all kinds and character in competition with the citizens of this country who have to make a living.

Further, Mr. Speaker, I think there is a provision in the bill to the effect that the money they have invested for the purpose of producing funds necessary to carry out the purposes of this corporation shall be exempt from taxation. There are various other provisions that I think are contrary to good public policy if they go as far as the language seems to indicate. Without reading the provisions more carefully than I have had the opportunity to do, I would not say that I would object to it if I had time to consider it, but I suggest to the gentleman from Massachusetts that he let this go over until some other unanimous-consent day. I shall have to object to it if it is pressed now.

Mr. RAKER. Mr. Speaker, I want to reserve an objection, so that if the gentleman from Missouri withdraws his I can make it when we get through.

Mr. FOWLER. Mr. Speaker, I want to reserve an objection, and I object to it now.

The SPEAKER. The gentleman from Illinois objects, and it is stricken from the calendar. This is the end of the Calendar for Unanimous Consent.

REPRINT OF A BILL.

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to have the bill S. 2319, "An act to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900," as amended, now

on the Private Calendar, and also the report, No. 467, that accompanies it, reprinted to correct certain clerical errors.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and it so ordered.

Mr. ANTHONY. Mr. Speaker, do I understand that this concludes the Calendar for Unanimous Consent?

The SPEAKER. It does. There are two other bills upon the calendar, but they were not put on soon enough to be considered to-day.

#### PROHIBITING ADMISSION OF ADULTERATED SEEDS.

Mr. MANN. Mr. Speaker, I move to reconsider the vote by which the bill (H. R. 22340) to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated seeds and seeds unfit for seeding purposes was passed, and to lay that motion on the table.

The SPEAKER. Without objection, it will be so ordered. There was no objection.

#### THE LATE GOV. AYCOCK, OF NORTH CAROLINA.

Mr. POU. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, on the night of Thursday, April 4, the greatest living North Carolinian, while addressing an audience in Birmingham, Ala., fainted, and immediately thereafter passed away. In my lifetime I have known no greater man. I rank him side by side with the great Zebulon B. Vance.

Gov. Charles B. Aycock was to have delivered his opening speech in his campaign for the United States Senate in the city of Raleigh on the 12th of April. That speech had been carefully prepared. It was never delivered, but it has been printed, and it is so elevating in its tone, so statesmanlike from beginning to end, so tolerant in its views of those who opposed him; that when I read it I could not help thinking that this great and good man felt that he was standing on the brink. All the people of North Carolina, Republicans and Democrats, colored and white, women and children—every person who ever heard the name of Charles B. Aycock—will appreciate if this House will give unanimous consent that that speech, which appears in the Raleigh News and Observer of Sunday, be printed in the RECORD, and after reading the last few sentences of his speech I am going to make that request.

We stand a-tiptoe on the misty mountain height and see the morning sun make purple the glories of the east. We are entering upon a new day, the day of equality and of opportunity, the hour when every man shall be free to work mightily for himself until his soul, filled to satisfaction, shall overflow with a common benefit to mankind, owing no tribute to anyone and bound only to love his fellow man and serve his God as to him may seem best.

"May these things be;"

Sighin' she spoke;

"I fear they will not,

Dear, but let us type them now

In our own lives, and this proud watchword rest,

Of equal."

Equal! That is the word! On that word I plant myself and my party—the equal right of every child born on earth to have the opportunity "to burgeon out all that there is within him."

[Applause.]

Mr. Speaker, I now ask the Speaker to submit my request.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to print in the RECORD the speech of the late Gov. Aycock, to which he has referred. Is there objection?

There was no objection.

The speech is as follows:

Ladies and gentlemen, I ought to look my happiness to-night and not be reduced to the inadequacy of words with which to express my appreciation of your greeting. I come to talk to you as a simple Democrat, talking to fellow Democrats, for I am a plain and simple man, who loves his friend and has never been hated enough by any man to make him hate again in return. And I am a Democrat. I am not a conservative or a reactionary Democrat. I am not a progressive Democrat, for the word "Democrat" with me is a noun substantive of so fine and large import that it admits of no addition or diminution by any qualifying word or phrase.

#### WHAT IS A DEMOCRAT?

What is a Democrat? He is an individualist. He believes in the right of every man to be and to make of himself all that God has put into him. He is a man who believes and practices the doctrine of equal rights and the duty and obligation of seeing to it as far as he can that no man shall be denied the chances in life which God intended for him to have. He is a man who believes in the Declaration of Independence, and who is filled with that spirit of equality which has made this country of ours the refuge of the oppressed of all the world and the hope of this age and of all ages to come.

It is this spirit of democracy and of equal opportunity—for the terms are interchangeable and are equal to each other—which has conquered America, causing the three millions scattered along the coast at the end of the Revolutionary War to swarm with mighty energy and power over the Alleghenies, press across the Mississippi Valley, to run

with haste across the prairies, to climb with energy the mighty Rocky Mountains, and never to tire until they stood with unfagging energy and gazed upon the rolling and majestic sweep of the mighty Pacific.

One sometimes stops and asks himself why the restless energy, the untiring seeking after new land which has characterized this American people? What is it that has swept them from the Atlantic to the Pacific? What is it that has made them give up the comfort and ease of civilized home to live in vast prairies and lonely mountains, far from one another and from all the conveniences of more thickly populated sections? The answer can be found in the determination of every American to find a larger freedom, and when this has failed him in the crowded cities and thickly settled farm districts, he has moved elsewhere to find it.

But the mountains and plains have been conquered. The lands have all been settled. There is no other place for men to seek and they must find this larger liberty at home or forego it forever. The task, therefore, of securing liberty comes to us afresh. It is no longer possible for men to run away from oppression and inequality. It is no longer within their power to find this larger liberty elsewhere, and they must work it out for themselves in the crowded cities and in the thickly populated homesteads. This is the task of the present hour.

#### THE PROBLEM OF THE HOUR.

During the span of my life now just a little more than half a century, I have seen this struggle of the people for continued and enlarged freedom tirelessly seeking to work itself out; I have seen the Nation grow in wealth and enormous fortunes piled up; I have seen railroads built until every part of the country is in touch with every other; I have seen the telegraph and telephone bringing all the ends of the Nation together; I have seen industry develop and grow and wax strong and mighty, producing fabulous wealth and enormous products; and I have seen the earth perform her duty in the yield to the industry and science of man until her products are enough to feed and clothe and house every human being abundantly; I have heard the great orators declaim that with the coming of this wealth there should come also a better age and a finer chance for those who sweat and struggle and toil and make the wealth, and yet I have looked in vain for the coming of that hour, and as I read the current history of the times, I find strikes and lockouts and hunger and cold and suffering greater than when Great Britain acknowledged the independence of the Thirteen American Colonies.

We have just touched the beginning of productiveness. The scientist and the business man, the inventor, and the captains of industry stand ready to-day to produce for the world all that it needs for sustenance, for comfort, and for reasonable luxury. The task of the statesmen of this hour is to devise some method by which this enormous production shall be for the utilization of the multitude rather than for the appropriation of the few. This is a task which has ever been upon the hearts of all thoughtful and well-informed men of generous disposition, but the appeal was never quite so compelling as it is at this hour. With the wealth in the country so great as to startle imagination, to stand in the presence of the thousands of hungry and cold strikers at Lawrence, Mass., and watch the struggles of the coal miners, seeking for a decent living; to see men in the greatest trust and richest organization on earth working 12 hours a day every day, including Sunday, on a wage that barely keeps body and soul together; and to realize that these things are happening in this land of freedom, of superabundance, and are happening despite the efforts of right-minded men with good hearts, humbly seeking wisdom from God sufficient to enable them to correct these conditions, makes one feel with Tennyson, like

"An infant crying in the night,

An infant crying for the light,

And with no language but a cry."

#### EQUAL OPPORTUNITY THE ONE REMEDY.

And yet I can not bring myself to believe that the problem is unsolvable. Yea, I believe that it has already been solved and the solution has been forgotten by us. It was solved in the single phrase, "Equal opportunity to all and special privilege to none." It found its correct exposition in the inaugural address of President Jefferson when he insisted that the Government should be economically conducted to the end that labor should be lightly burdened.

This latter is a simple sentence. It has not in it a single striking quality. It is so plain, it is so easy, that it is not like the solution of a difficult problem, and being easy and plain, we have forgotten and failed to apply it. We have ever since this utterance been going steadily away from it and seeking to find equality of opportunity in the extension of special privileges to some in the hope that out of their abundance they would make easier the condition of all. We have for all these years been supposing that it was possible to better the condition of the workingman by taxing him for the benefit of special industries so that these enriched industries might in turn play my Lord Bountiful to him, forgetful of the axiomatic principle underlying Jefferson's phrase, that after all, all taxation comes out of labor itself, for wealth is nothing but the accumulated product of labor translated into things of use.

I lay down this principle: No man who is not a creator of wealth pays any tax. Customhouse officers, the collector of internal revenue, the sheriff, the tax collector, may collect taxes out of him because he has in his possession wealth created by others, but he himself does not contribute to the support of his government in any degree. When he pays his so-called tax, he charges it to someone else, and usually makes this other person pay interest and profit on the tax which he has ostensibly paid.

If this be true—and it is true and no man can successfully dispute it—then there is no possibility of giving superior advantages to labor by any tax which has yet been devised by the ingenuity of man. And this brings us easily and naturally to some discussion of the method of taxation adopted by the National Government, and now in force under the legislation of the Republican Party, and which has been in force with some changes and modifications with a tendency ever upward, since 1860. There is not a tax law existing, there is not a special privilege enriching some at the expense of many now in force in the United States, which is not in force by reason of legislation passed by the Republican Party. There is not a swollen fortune—which my stenographer properly wrote, stolen fortune—threatening the structure of our Government, the peace of the Nation, and the hope of the age that is not the creation of Republican legislation; and the most of it is based upon the one question of taxation.

#### \$110 A YEAR TARIFF TAX PAID BY EACH FAMILY.

It is no wonder that our forefathers went to war upon this great question. It is no wonder that our early English forefathers won every step in the advancement of liberty around this single question. I am almost tempted to say that no battle has been fought and won in behalf of humanity, in favor of enlarged liberty and greater opportunity, that

has not been fought around this single question of taxation. The United States raises annually out of taxation on imports about \$330,000,000, and for every dollar of this \$330,000,000 that goes into the Treasury at least five other dollars go into the treasuries of the special interests. Add these sums together and they make \$1,980,000,000, which is \$22 for every man, woman, and child in the United States. Assuming that there are five members in each family, this would be \$110 to be paid by the head of each family, and this payment is a tax, and the worst feature of this tax is that one-sixth of the tax goes into the Treasury of the United States to secure for us a proper conduct of our Government, while five-sixths of it goes into the treasuries of great corporations upon the assumption that in their kindness and out of their ability they will increase the wages of labor.

We have at last reached a time in the discussion of the tariff when it is conceded that the tariff is a tax and that this tax is paid by the people of the country that imposes it. The tax is indirect and the amount paid by each individual is never considered by him when he goes to purchase his goods, and if he thinks of it at all he never knows how much he is paying. But the average tax on all goods imported into the United States is something more than 40 per cent, and this additional tax, collected in the first instance by customhouses when the goods are brought into the country, is added to the cost of the goods by the importer, who adds his profit on the original cost of the goods and on the tax as well, when he sells to the wholesale merchant, and the wholesale merchant adds his profit on cost, including tax, when he sells to the retailer; and the retailer must add his profit on the whole cost, including the tax, when he sells to the consumer. So that, instead of being something over 40 per cent, as it appears when collected at the customhouse, it becomes a great deal more before it reaches the consumer.

#### HOW THE PEOPLE ARE DECEIVED.

The tax on sugar has been used by Prof. Taussig as an apt and easy illustration of the operation of the tariff. The duty on sugar now amounts to about 1½ cents per pound on that imported to the United States. The Treasury gets out of this tax \$50,000,000, but on the sugar produced in the United States the Treasury does not get a single cent, but \$60,000,000 goes into the pockets of the producers or manufacturers of sugar, making a total of \$110,000,000 paid by the American people on the single item of sugar in the course of a year, or at the rate of \$7.25 for each family. In order to make it clear to us all exactly how this works, Prof. Taussig suggests that instead of the Government collecting tax at customhouses, we assume that it collects the tax through the retail grocers. On this assumption, when you buy 14 pounds of sugar for \$1.02, the grocer would inform you that his charge was 80 cents, but that when you had paid this 80 cents there were some other items that must be paid before you could get your 14 pounds of sugar. Thereupon you would pay 10 cents to the grocer for the use of the United States Government with which to help run the Government, in paying salaries and pensions, in building battleships, in maintaining the Army, and other expenses of the Government, and having paid this 10 cents to the Government you would thereupon be called upon for 12 cents more for the use of the sugar producers.

If this were the method actually in force for the collection of the tariff taxes, there never would be another tax levied for the sake of protection, and no Congressman would ever vote for any tariff tax except from the direst need of the Government, and he would always be able to show to his constituents that every dollar of it was needed by the Government when administered in the most economical fashion. If a tax be hidden from observation by being withdrawn from attention, and when called to mind is covered with the pretense of being levied for the benefit of labor, it presents itself in a different aspect, and the American people have borne this tax and have suffered themselves to be exploited by a continual raise in it until the enormous accumulations of protected industries and the tremendous wealth of trusts growing up under this protection have started them into an examination of the whole subject of tariff taxation.

#### IMMORALITY AND INEQUALITY OF PROTECTION.

This reexamination of the subject of tariff taxation is to-day being had. On one side we find the National Democratic Party declaring that the tariff should be levied for revenue only with which to run the Government, economically administered, while the Republicans, growing bolder as the years go on, have now put into their platform a declaration which they have never dared to put there before; that is, that the tariff should be so levied as to cover the difference in the cost of production in the United States and abroad, with a reasonable profit to the manufacturer.

The coming campaign for the Presidency is to be fought out along the line marked by these two conflicting platforms. To be sure, some men who believe in a tariff for revenue only will vote the Republican ticket and some men who believe in a tariff for protection will vote the Democratic ticket, but in the main, the great body of the people voting the one ticket or the other will cast their votes in accordance with their convictions on this subject of taxation. On which side shall you and I vote, and why? For my part I shall vote the Democratic ticket, because I believe in a tariff levied for revenue only and do not believe in a tariff levied for the sake of protection.

I know, or think that I know, that all taxation, save the income tax alone, however levied and for whatever purpose, in its nature tends to monopoly, and this tendency to monopoly becomes greater the higher the tax. And I know that all taxes, save the income tax alone, are in the ultimate paid by the men who do the labor. It must be dug out of the ground. It must be hammered into houses. It must be sweated out in the mines. For taxation can not be raised out of idleness and is ever a burden upon industry. The men who work pay the taxes, and the men who idle eat them. You may tax some people rich by creating a monopoly by reason of taxation, but you can not tax all the people rich. You may create monopoly and special privileges out of which the few will wax strong and mighty while the many bear the burden, but you can not by taxation, by burdening those who labor, make all of them richer.

#### HOW PROTECTION BREEDS TRUSTS.

Taxation may be used, as it has been used, in such fashion as to change wealth from one to another, enriching some while impoverishing others, and this is particularly the case with tariff taxation, for tariff taxation is a tax upon consumption and all the people are consumers, and they are consumers not in proportion to their ability to buy, but in proportion to their necessities. I am necessitated to eat and wear as much as John D. Rockefeller, and if he does eat and wear more than I, it is because of his desire and from no necessity. If he lives on what I am compelled to live on, he pays no more tax toward running the United States Government than I pay, and the tax which would be a burden to me and lessen my ability for service is no burden to him.

But by keeping other people out of business for the want of adequate capital he makes stronger his grip and monopoly over his own business. The first effect of the tariff tax is to increase the price of all articles upon which it is levied, and those who produce the taxed articles in the country get the benefit of this tax in their ability to sell their productions at a higher price. This higher price means for them success; in many instances it means enormous wealth; it means tremendous fortunes. But as the people see those who are in the protected industry prosper, others turn to this industry and begin business and make money at it, swift and sure and fast, and others in turn do the same until the business is crowded and overdone, and production—which has been made at a greater cost than in foreign countries by reason of the higher cost of everything that enters into it—has become excessive and can not be consumed in the home market. And then the process of elimination sets in, the strong taking hold of the weakest, and the strong taking hold of the weakest, until all the weak have been eliminated and the strongest has become one. And this is the genesis of your trust, of your monopoly, created, fostered, made an absolute fact by the tariff law, and with this monopoly comes the inevitable raise in prices, higher and higher and higher until they have set the whole country to wondering what is the cause of the high price of living and why is it that American manufacturers are selling abroad cheaper than they are at home; for that they do sell abroad cheaper than in America is no longer disputed. The farmer can buy his agricultural implements, the mechanic his tools, the manufacturer his machinery, the railroad builder his locomotives, the woman her sewing machine, all cheaper abroad than they can at home, and this when all the goods are made in America.

#### PROTECTION A SOURCE OF CORRUPTION AND MORAL CONTAGION.

Not only does the tariff tax have the effect of increasing the cost of living, and concentrating wealth in the hands of the few, but it corrupts the entire body politic and makes the tariff issue a moral question which the American people must face and face now if they propose to save for their children the vital principles of equity and righteousness handed down to them by their forefathers. If it be conceded to be the duty of government to make up to manufacturers the difference between cost of production in this country and in foreign countries, and also guarantee to them a reasonable profit, then our Senators and Representatives in Congress become the agents of the people for carrying out this purpose. They hold in their hands the wealth or the poverty, the success or the failure of these protected industries, and the protected industries have a right to and do look to them to safeguard their interests. The beneficiaries of this theory come to look upon government and the representatives of the people in Congress as their Government and their Representatives, responsible to them and not to the people for legislation. To this end they do not hesitate to lay before the Congress their selfish views, their special and particular interests, and to enforce these views and interests with subtle argument and convincing figures, and to back up the arguments and figures with threats of non-support if the Representatives in Congress do not yield to such demands; and whenever they find these Representatives amenable to their arguments, figures, and threats, they naturally feel toward these Representatives a sense of gratitude growing out of their prosperity which makes them willing to contribute liberally to the campaign funds of such Representatives until now the conduct of congressional and senatorial elections throughout the country has become attended with such a fearful expenditure of money as to eliminate from consideration on the part of the people those candidates who are without means or, having means, yet retain a sense of dignity, propriety, and decency which forbids them from entering into a money-spending contest for what used to be regarded as honors for the reward of service to the whole body of the people. We have recently witnessed the vindication of a Senator by the United States Senate who frankly admits that he spent in the senatorial contest \$107,000, and justifies the expenditure on the grounds that every cent of it was used legitimately and not illegitimately; and the Senate must have come to the same conclusion in order to permit him to retain his seat. The whole salary of this Senator for his six years' term amounts to less than half the sum which he spent to secure the office. And this is so common a matter that it has ceased to startle the conscience of the American people or to awaken in them that surprise and exasperation which are necessary to correct the evil which has insistently grown into such vast proportions. Another United States Senator is charged with having gained his seat through the intervention of protected interests who are said to have raised more than \$100,000 for the purpose of corrupting members of the legislature, and it is charged that the funds so raised were actually used to this end.

#### DEMORALIZATION BROUGHT BY GOVERNING FOR THE BENEFIT OF SPECIAL INTERESTS.

In connection with this matter we should not overlook the fact that the United States Government is to-day prosecuting in equity and in law the various trusts of the United States, numbering several hundred, and step by step and day by day the courts are declaring these trusts have been organized, conducted, and administered in violation of law and in contempt of the statute passed to protect the people against them, and these findings by the courts involve a finding that each one of the directors of these great corporations is guilty of a crime against the United States. It may be pleasing to some thoughtless Americans that our millionaires and multimillionaires are guilty of penitentiary offenses, and there may be in their hearts the hope that they will ultimately reap the fruits of their sowing, but one who is studying his country and its development with the hope of finding in it the prospect of betterment can not but feel a sense of humiliation to learn that the great captains of industry, those whom we have exploited and paraded and honored and glorified and worshiped, should, as a matter of fact, belong to the criminal classes. Rockefeller and Carnegie and Morgan and Duke and thousands of others, leading men, great financiers, known throughout the world, parading as representative Americans, envied of us, to-day occupy the position of being and belonging to the class of men who violate law and are subject to wear prison stripes. And this result is the outcome, the inevitable, certain, and unavoidable outcome, of the doctrine of protection! If the Government does owe these men a living, if it does owe them a profit, if the Senators and Representatives in Congress are under obligations to legislate for them, if they have the right to have the laws so framed as to take money out of our pockets and transfer it to theirs, is it any wonder that they, with the years, become more and more exacting and more hasty and more anxious and more determined to grow rich with certainty and with rapidity and to treat the Government and all its functions as belonging to them, and its laws to be disregarded by them whenever these plans stand in the way of rapid wealth? We have fed and clothed and pampered and paid them until they hold us in that contempt which ever

precedes the violation of the law on the part of the strong. And it is this feeling which made actual thieves out of the Sugar Trust and put them into the contemptible business of loading their balances so as to underwrite the sugar imported into this country and thereby to avoid the payment of the very tax which in some degree was levied for this trust's own benefit.

#### JUSTICE TO ALL, NOT SPECIAL FAVORS, IS THE LABORER'S HOPE.

Government can not make it possible for the few to make millions of dollars by the operation of its tax laws and not corrupt these few. The millions which they can make if the tax laws suit them will be used in part to secure Representatives and Senators who will pass such laws as the favorites may want, and when so used the protected magnates and the representatives of the people have both become corrupt, and, in turn, in order to shield themselves, to quiet the people, and to make their evil acts appear good, they have often subsidized the press, misled public opinion, and crucified the honest advocates of public virtue upon the cross of contempt. And all of this for all these years has been going on and has been accomplished in the name of protection to the American workman!

I want to say here and now, and I want it remembered, that the poor men who labor, the men who have not the means of creating public opinion, of compelling Government favoritism, can never secure justice through advocacy of special privilege. Every dollar of this dishonest wealth is the result of the sweat of the laboring men of the United States, and has been appropriated by these few men by the operation of laws fastened upon the country under the false and preposterous plea that it would emanate in justice to the needy. Favoritism is always extended to those who do not need it. Special privilege always belongs to the few, and in the nature of the case can not belong to the many. One of the old Latin poets, more than 2,000 years ago, animadverted to the fact that apples are always given to those who have orchards, and human nature has not changed from that day to this. No worker, no toiler, no man who sweats out his daily bread, can ever hope to secure justice through governmental favoritism. His only hope for equality is in the everlasting cry for justice, "Equal rights to all, special privilege to none." There are among us those who seek to remedy the admitted evils of the present by securing special favors for the weak, but every favor which we gain for the weak, whether to persons, to States, or to sections, will have to be paid for by further favors and greater favors to those who are already strong. We shall never win righteousness by joining in the cry of Senator TILLMAN, wrung from him by his strong sense of the hot injustice being perpetrated by the United States under the form of law, "If you will steal, give me my share"; but everywhere and always, in season and out of season, let us change this cry of despair into a shout of heroic virtue, "We will have justice and equality by the abolition of all special privilege."

#### A LIBEL UPON AMERICAN LABOR.

The Republican Party has always insisted that the protective tariff is essential in order to equalize wages paid in the United States with those paid elsewhere. This assumption is based upon the idea that the American workman is not only paid more per day than the foreign workman, but that he is paid more per output; that is to say, that he is less efficient in proportion to his wages than his foreign competitor. I deny the truthfulness of this assumption, and I stand here as the friend and champion of American labor to assert that the high wages of American workmen as compared with the wages of foreigners are not due to favoritism shown by the American Government to employees and to American workmen, but are the direct result and outcome of our labor's greater efficiency. The American workman is paid more per day than the foreigner, but his product, day by day and man for man, more than compensates his employer for the difference in wages. This is not only true as a historical fact, but it is true from the pure reason of the thing. All wages have to be paid in the last analysis out of production, and high wages can not be paid out of a small production for any length of time without the utter destruction of the business in which they are employed. Not only must labor produce all the wage which it earns, but in order to be continually employed it must produce a profit to the employers over and above the earned wage, and the higher paid American laborer does produce this profit for his employer over and above any wage paid to him, and if he did not the employer could not continue in business.

Moreover, the doctrine of universal education has become an accepted fact throughout the civilized world. This doctrine carries with it the education of the hand as well as of the mind. It develops initiative and inventive skill and efficiency. Higher wages tend directly to the increased education of each succeeding generation, and therefore to the increased skill and efficiency of each succeeding generation of workers. It is a fact, also, that men who are well fed, well clothed, and well housed are more capable and efficient workers than those inadequately fed, clothed, and housed; and since wages are essential to good living, they increase thereby the efficiency of the men who enjoy them.

#### LABOR OWES NOTHING TO PROTECTION.

To say that the American workman produces less in proportion to his wage than the foreigner is an outrageous assault upon his capacity, his fitness, his training, and it is not the truth. It has been invented by the Republican Party in order to hide behind the pretense of kindness toward the workman, and from this hidden and cowardly retreat to levy blackmail upon every consumer. The American workman asks no favor. He insists upon no special privilege, but given a legal opportunity and a fair chance in life he will work out his own destiny and thank no man for charity or patronage. For my part, I am tired of the assumption of the protected industries in the United States that they are eleemosynary institutions created by the Government for the purpose of collecting from unwilling consumers tribute to be paid by them to workmen for labor which the manufacturer insists that the workman does not perform as efficiently as it is done elsewhere. If the workman is as efficient as elsewhere and more efficient, then he earns his higher wage and is entitled to it as a matter of right, and owes no obligation to any protected industry or to the Government of the United States for the blessings which come out of his skill and efficiency.

I want to see the industries of North Carolina developed. I want to see them multiplied in number. I want to see competition among employers for labor, and I want to see labor trained, educated, developed, made more efficient; and with increased efficiency I want to see increased wages; and, above all, I want to see every man feeling himself a free and independent citizen, owning his own soul, and realizing that he is earning his bread by the sweat of his brow, and is not thankful to anyone for alleged favors done in his behalf. Let us break off the fetters of commerce and give her a free opportunity to grow; let us be done with the foolishness of Republican apprehension that

with lower tariff taxes our country will be flooded with cheap foreign goods. The very moment that our imports increase our exports will increase. If more goods are brought into the country, they will be paid for by more goods shipped out of the country. If we are flooded with foreign goods, we will flood foreign countries with our goods.

#### THE SOLUTION OF THE SOUTH'S COTTON PROBLEM.

I have read during the past fall and winter the appeals of southern governors, the chambers of commerce, of agricultural societies and farmers' unions, of bankers and business men, urging farmers of the South to lessen the production of cotton; and side by side with these appeals I have read in the papers of the terrible suffering of men throughout the world for the want of adequate clothing. I have known and all of us have known, despite our increased production of cotton, that the world is not yet adequately clad. Thousands of people die annually for want of the very raiment to be made out of cotton, the production of which we are seeking to lessen. I have realized that we must indeed lessen our production of cotton or impoverish ourselves in cultivation under existing conditions, and this has brought me to the knowledge that these conditions are wrong, for God has given to each of us the instinct to make two bales of cotton grow where one grew before, and we are educating our farmer boys with this aim in view, that they shall produce more and more each year than their fathers produced before them. But how can they work out this God-given instinct and how shall our teaching be other than a failure if we shut our cotton within the borders of the United States by building up a tariff wall against the products of other countries? Foreign trade is but an exchange of products, and is not and can not be paid for in gold. The cotton crop alone would take for its purchase all the gold in the world in a very few years. No, my countrymen; let us cease this folly. Let us break down these high walls of protection, built around us for the sake of monopoly. Let us turn in the foreign goods of which our Republican brethren are so much afraid. Then we will see a demand for high prices and for more cotton than you can possibly produce, and the God-planted instinct of every man to create more and more will find its full play, and our agricultural education will cease to be a humbug and a farce. Why shall we teach how to grow more and then combine to prevent the growth of more? I admit our present need along this line. I admit the absolute wisdom at this moment of lessening the cotton production, but I deny the sense, the morality, of continuing the conditions which have forced this necessity upon us.

#### A TARIFF PLATFORM.

I conclude my observations on the tariff with the succinct statement of my view as to how the matter should be dealt with:

1. I am in favor of a tariff for revenue only.
2. Such tariff to be levied—
  - (a) On luxuries.
  - (b) On comforts.
  - (c) And only as a last resort on necessities.
3. Such tariff to bear equally upon all productive energy, whether engaged in agriculture, mining, or manufacturing.
4. Such tariff to bear equally upon every section of the country. And under this head I would observe that I do not believe in protection for New England and free trade for North Carolina, but a tariff for revenue only, applicable alike to both sections. I would not be guilty of the quixotic folly of compelling my own people to bear an unequal proportion of the burdens of the maintenance of Government, nor would I, on the other hand, exact one cent of tribute from any other section of the country in order that my own State and the South, which I love with my whole heart, should prosper at the expense of others.
5. I agree with Gov. Woodrow Wilson that we are to act upon the general principle of the Democratic Party—not free trade, but tariff for revenue—and we must approach that by such avenues, such steps, and at such a pace as will be consistent with the stability and safety of the business of the country. And I agree with him again when he says: "The tariff is the one central issue of the coming campaign. It is at the head of every other economic question we have to deal with, and until we have adjusted that properly we can settle nothing in a way that will be lasting and satisfactory." Similarly, Gov. Judson Harmon has well said, "The tariff is the dominating issue before the people"; and Mr. OSCAR UNDERWOOD, "There is no other issue before the American people of so vast importance."

For this reason I would not create division in the Democratic Party upon questions like the initiative, referendum, and recall, valuable as these agents are regarded by so many people as the means of securing an adequate expression of the real will of the people. Believing, as I do, that the tariff is the vital issue of the coming campaign, and that in order to work out the political redemption, the economic advancement, and the moral revolution of the American people it is essential to restore our tax laws to a constitutional basis, I can not join in any assault upon any man who has heretofore professed to be a Democrat and who will during the pending campaign for righteousness abide by the declarations of the Democratic Party upon this great and overwhelming question. We have not too many Democrats, but too few, and, for my part, I am willing to allow much divergence of opinion on many subjects in order to have this great party to which you and I belong united on this one vital and everlasting issue—the right of the people to be freed from exploitation by means of tax laws by special interests.

#### WHY MONOPOLIES MUST BE BROKEN UP.

While I am on the subject of trusts and monopoly, let me say that there are many men as earnestly desirous as we are of correcting the inequalities and injustices of life, and of breaking down the instrumentalities which have brought about these inequalities and injustices, who honestly believe that the trust is a public benefit and needs only to be restrained by law and made to conform to the necessities of the public and not destroyed. They have arrived at this conclusion by reason of the very general feeling that great establishments are more efficient and can produce more economically than small ones and are therefore capable of paying higher prices for raw material at a less cost. This belief has been so general and so strong that it has given the American people pause in dealing with this question. If it were true, as is generally believed, that efficiency and therefore economy of production is attained by volume of business, there would be much ground for hesitancy about the destruction of the trusts. But fortunately at this juncture Mr. Brandeis, of Boston, in his evidence before the Interstate Commerce Committee of the Senate, has demonstrated beyond all peradventure that at this very point the trust fails instead of succeeds. The highest efficiency of production and the greatest economy attainable are to be found not in the gigantic plants, but in the reasonably small ones. Efficiency is due to the cooperation of every man engaged in the production, and this cooperation is largely dependent upon the esprit de corps which is developed, so that each worker in his depart-

ment is necessary to every worker in every other department, and when the heads of these departments are in direct contact with all the men, and when each man feels that the business is his own. When the business grows beyond this point and the men become units instead of individuals and are counted by numbers instead of names, inefficiency creeps in and expenses increase in the various departments. The only way to secure the highest efficiency and the greatest economy is by a large number of plants under separate and independent conduct, each one striving to the utmost limit with the power of every individual in its employment to outdo the others.

#### TRUST PRODUCTION IS UNECONOMIC.

This fact when laid before the public is so patent and can be shown to be true by so many illustrations, that it is wonderful it should not have been known before. Senator CLAPP, who has given much study to this subject, in a recent interview in the Saturday Evening Post, elaborates this view and illustrates it with a power of expression well worth the attention of every thoughtful man. The trusts and monopolies of the country therefore are not to be regulated, but are to be divided into their constituent parts and compelled to remain separate and competitive forces in the economic world before we can attain to the highest development. With the destruction of the trusts and the upbuilding of numbers of smaller corporations, the demand for raw material will be increased, the efficiency of the workers multiplied, and the selling price of goods reduced. Instead of the few great controlling, dominating, overwhelming manufacturing plants, we shall have a great number of separate, independent, active, live, competing organizations, and with the coming of this day the old-fashioned loyalty, which was the charm of service in the former days, will be restored.

This is not only true theoretically, but our past experience has proved it to be true. The great trusts are not selling their products as cheap as they were sold by the independent organizations which the trusts have succeeded, and the trusts are not producing the products either as cheaply or making them as good as they were before. This fact can be demonstrated by a simple exchange of dollars across the counter of your retailer for the goods he will deliver to you, and then comparing them with what you would have paid for the same quality of goods before the advent of the trusts. So I conclude on this subject that the trusts are not to be regulated, but destroyed and supplanted by the old-time organization, willing to fight, to work, to struggle, to invent, to discover, and to initiate, willing and able to compete and actually competing for the business of the world, asking no favor, paying for no special privilege, and eternally opposed to conferring special benefits upon others.

#### INCOME TAX FAVORED.

Again, I am in favor of an income tax. One of the great curses of this hour is the extravagance of the National Government. Extravagance is like a contagious disease—it spreads outward from the source of infection. As the Government is, so are the people. A wasteful, reckless, and extravagant Government always creates a wasteful, reckless, and extravagant people. This Government of ours has become the most extravagant upon earth. It has more than doubled its own expenditures since the administration of Grover Cleveland. The per capita expenditures have gone up from about \$7 to about \$12. It now costs about \$60 per household to run the United States Government. No scheme is too wild, no expenditure too great, to rally around it the support of the United States Congress. The taxes collected are indirect, the people taking no note as they pay them of the fact of payment or of the amount, and since the great bulk of these taxes come out of the multitude and a very little of them come out of the few who have vast wealth, those who have the wealth have less loss in the amount of taxes which they pay than they have profit in the expenditures of the Government. The rich, therefore, are on the side of extravagance. They do not care how much the Government spends. They are always in favor of more offices and higher salaries. You can rely upon them confidently to advocate every new scheme of the Government and to insist upon the rightfulness of every national enterprise leading to larger expenditures. They know that their part in the burden is small, and their opportunity of gaining other wealth by reason of the tax laws is great, and the rich and strong are always closer to government than the poor and weak. The laborers on the farm, the worker in the factory, the mechanic in his shop, the clerk in the store, the workers in the banks, do not go to Washington. Their acquaintance with Senators and Congressmen is limited. Their influence, if united, might be great, but they are never united; they are too busy with their own problems of bread and meat. But the strong, the rich, the powerful, the magnates, the captains of industry, the mighty men of the Nation, these can be found at all seasons of the year in and around Washington when Congress is in session. They know every Senator and every Representative. They know by what majority he was elected and they know the apprehensions which each has about his ability to get back, and they are in position to help or hinder him. Whatever enterprises they want set afoot, whatever enormous expenditures they want made, are presented to the Representatives of the people in Washington in the most glowing terms; the benefits are pointed out in a fashion captivating, overwhelming, convincing. The burdens are to be met by some small change in the tax laws, reaching the many, but reaching them in such a fashion that they will take no notice of it. Thus, one after another, our Government takes up new schemes, new enterprises, and increases year by year the annual expenditure out of all proportion to the increase in population and wealth.

#### HOW THE INCOME TAX WILL PROMOTE ECONOMY AND JUSTICE.

And this will always be true until the rich are made to bear their part of the burden of increased expenditures. Wherever we shall have passed and put into operation an income tax taking from those of large incomes a reasonable sum for the expenditures of the Government, the rich will then become burden bearers for the Government, and at the same instant, they will become intense, active, effective advocates of economy. They can compel economy, and whenever they realize that extravagance is to be met by an increase in their income tax, they will compel it. The simplest and most direct way to make a rich man an advocate of economy in government is to make him feel that extravagance costs him some money, and when he realizes this you will hear from him, through the press, in magazines, and in books. You will hear him deprecating not only the high cost of living, but the cost of high living. He will be clamoring for a return to the ways of the fathers. He will be insistent for economy—and his voice is so potent that it will be heard throughout the Nation.

I am in favor of an income tax, not only for the reasons just set out, but for the further reason that the tariff tax and, indeed, our internal-revenue taxes, are taxes upon consumption and therefore fall unequally upon the rich and the poor, bearing most heavily upon the poor. As a compensation for this inequality I would have an income tax reaching

the rich alone, and thereby shift to their shoulders some of the weight that for all these years has borne so mercilessly upon the shoulders of those least able to bear it.

#### UNFAIR FREIGHT DISCRIMINATION AGAINST NORTH CAROLINA.

While on the subject of equality it is certainly appropriate that I should make some mention of the gross injustice done by the interstate commerce railroads in their freight rates to and from North Carolina. The difference between the rates to cities in Virginia and cities in North Carolina is so gross and outrageous as to challenge the attention and arouse the indignation of every fair-minded man to whom they are represented, and we can never change these conditions by seeking favors. We are too few in numbers and too poor in commerce ever to hope that we shall gain the grace and good will of the interstate railroads. The only ground upon which we can hope for a redress of our grievances is upon the everlasting insistence of the justice of our cause. We should perpetually assault this outrageous inequality and never cease to demand rightful treatment until our clamor shall have aroused a recognition in the Nation which will compel justice. A small population and a small commerce can never hope to prevail with the entrenched power and unfairness of the railroads and of the cities benefited by their injustice, but even small numbers and a small commerce can by insistence upon justice add to their weakness the power of the God who declared that He is no respecter of persons, and in this combination there can be no defeat. I promise the people of North Carolina if elected to the United States Senate—and I believe I shall be—to spend so much of my time as may be necessary during the six years of my incumbency of office in bringing about a change in this condition, either by seeing that the law as it stands is enforced, or if the law is inadequate, by securing the enactment of one which will compel for us the righteousness to which we are entitled and of which we have been denied through all these years.

#### ELECTION OF SENATORS BY THE PEOPLE.

I am in favor of the election of United States Senators by the people, and when I say by the people I mean by the people and not by money, not by organization, not by machinery. In a recent issue of the Charlotte Observer the editor declared that in the coming senatorial contest, while my fitness for the place was acknowledged and the love of the people for me recognized, I could not be elected for the reason that I am without money, without organization, and without machinery. This prediction, when it first appeared, startled and frightened many of my friends. It had no such effect upon me. I did not want to be elected to the United States Senate by money, by machinery, and by organization. If I were elected to the United States Senate by money, by machinery, and by organization—if I were elected by these means, I should glorify and honor the means which elected me. My father taught me that the rungs of the ladder on which I rise should be honored by me. If I rise on the rungs of wealth, organization, and machinery, I know myself well enough to realize that I should count my obligation in the Senate to these things. But if I go to the Senate as the untrammelled choice of the people of North Carolina, to them I shall owe the honor and to them shall be dedicated all the service of my heart and mind and body, under God, to the perfection of our Government and to the betterment of the conditions of mankind.

The Charlotte Observer is mistaken. It may be true in some of the Northern and Western States that a man must be rich before he can go to the Senate. It may be true in Pennsylvania that he can not go without the assent of the machine. It may be true in New York that organization is essential to the success of any candidate for office. But in North Carolina the people, who have been clamoring for the right to elect their own Senators, will not dishonor their own demand by suffering an election to turn upon false and corrupting things.

#### THE MENACE OF MONEY IN POLITICS.

Apart from any personal interest which I feel in this matter, I want to say to all North Carolinians that the test of the benefit of popular election of United States Senators is to be found in the power of the people to select their own Senators without cost and without dictation from machinery or organization. I regard this as of so great moment that I now deliberately declare that not only shall I not use money in this campaign beyond the very limited sum necessary, but I do not want my friends to use money in my behalf. I expect them to give their time and service to the proper presentation of my candidacy to the people, a task which I have always gladly rendered to those whom I supported as freely as I breathed the air. It will be an evil day for this good State of ours when the prediction of the Charlotte Observer shall have become the history of the State. The great curse of this hour is the mad scramble after wealth, corrupting, destroying, undermining the morals of the country, and if to the things which wealth can purchase shall be added the honors which the people alone ought to bestow, the scramble after wealth will become a carnival of crime. A recent writer has truly said: "Historians know that the critical hour for every Carthage and Ephesus, every Athens and Rome, every Berlin and Paris, every London and New York, comes when avarice of money and business interests select the legislatures that make laws, the judges who interpret laws, and the rulers who execute laws, conceived in selfishness and interpreted by cupidity. The decline of every nation and every city has begun with avarice and commercial interests administering the government for the powerful and avaricious few."

Yes, I am without power and without wealth, without organization and without machinery, but I am not poor and I am not helpless. I am rich in the love of North Carolinians and strong in their belief that it is my purpose now, as it ever has been in the past, to serve them as a whole without being under obligation to any special man or set of men. I would not have you leave this hall supposing that I intend to insinuate by what I have said that the other candidates differ from me in this respect. I do not insinuate; I do not charge it. I merely reply to a suggestion from a leading North Carolina paper giving expression to what I have heard so often and from so many sources since I announced my candidacy.

#### GOV. AYCOCK'S POLITICAL RECORD.

And now, ladies and gentlemen, I am about to do what I have never done before. I am about to announce in a public speech my candidacy for an office before my party has chosen me as its standard bearer. I have hesitated long before deciding to do this thing. It was my purpose not to enter this campaign at all, so far as the presentation of my candidacy was concerned, but the constant assertion on the part of the advocates of other candidates that I was not in the race, that I had entered it for ulterior purposes, has made in incumbent upon me in justice to my own character and in fairness to the men who are supporting me, to announce in a public speech that I am a candidate for the United States Senate, and expect to remain one until chosen or defeated by the untrammelled will of the Democratic voters of North Carolina.

I have given more than a quarter of a century of the best years of my life and my hardest work to the service of the Democratic Party in this State. I have confined my labors almost exclusively in that behalf to this State because it is the State of my birth and in her soil my body will rest when I shall have crossed over the river, and I love her beyond any part of this great American Union. I have not always served her wisely, but I can look the entire body of her people in the face to-night and I can declare that I have ever served her zealously and with no thought of the possible effect of my course upon my own career. I have held her highest office, and under God I assert to-night that I never said a word or did a deed during the entire four years of my term of office with any view to my personal aggrandizement. I never sought to build up a personal or factional machine, and I never endeavored to tie men to me by any sense of obligation by reason of favors done by me for them, for I did no man any favor as governor, but I earnestly sought to do every man the right of equal and exact justice.

If the people believe this of me and want me to serve them further, I shall be glad. If they think that either of my opponents is wiser, better, or more loyal to their interests, I shall bow with humility to their registered will and come out of the contest rejoicing in the hope that government will be wiser, more economical, and more in favor of the many than it has ever been heretofore, and anxious still, as I always have been, to do my little part, whether in public or private station, for the advancement of the cause of liberty upon the earth and the upbuilding of the Kingdom of God.

#### A TRIBUTE TO HIS OPPONENTS.

If any of you have come here to-night expecting me to say aught against the other candidates, you must leave unsatisfied. I can not do it. For more than 30 years I have been battling in behalf of Democracy against Republicanism. I have been in the midst of the conflict; sometimes in the lead, more often as a private soldier, but always with my guns trained upon the common enemy and not inflicting wounds upon those of the household of faith. If I were to attempt to assail Senator SIMMONS, my memory would awaken and I should recall the stirring days of 1898 and 1900, when, as the captain of the mighty hosts of Democracy, he led us to single, convincing, and final victory. Should I attempt to say aught against Gov. Kitchin, my mind would at once revert to the dark days of 1896 when he flashed his maiden sword in the blood of the gallant leader of the cohorts of Republicanism and went to Washington the lone Democratic Congressman, winning his great victory over the theretofore invincible Thomas Settle. If I should seek to assail Chief Justice Clark, I could but recall the many years of his eminent service on the bench, and I could but reflect that during all these years I have been steadily voting for him and proclaiming to the people of North Carolina that he was in every way fit for the highest judicial office in this State. These are the things which I have said of them when I did not seek office. These are the things which I shall be called upon to say of them again, if in the wisdom of Democracy they are chosen for office again. I can not bring myself in my own personal struggle for advancement to say things of them now which would be out of harmony with what I have heretofore said and what I stand ready to say once more. That I do not agree with them in all things is certain. That I would have acted differently in their places on many occasions I am confident. But that they are Democrats and worthy men I shall not attempt to gainsay. We are about to enter upon the most tremendous conflict of the ages—a fight against entrenched power, fortified by wealth so great that he who enters into the fight in earnest must be willing to risk his all. In such a contest as this I shall recognize no enemy save those who align themselves under the banner of Republicanism. While we are seeking to overturn the power and authority of the cohorts of the plunderers I shall not turn my sword upon any man who is willing to bear a gun on our side.

Have you forgotten the story of Lorna Doone—how the Doones, men of high family, who had fallen under the displeasure of the government, had betaken themselves to the Doone Valley, surrounded on all sides by precipitous mountains, and from this strongly fortified position levied their blackmail upon the surrounding country, killing and robbing and outraging the people of the land until the citizens were aroused and determined to extirpate them? Do you recall how the men of the eastern county gathered together on the eastern mountain, and the men from the western county gathered on the western mountain, with their arms and cannon ready to fall upon the Doones and destroy them, when, by some untoward accident, a cannon from the western ranks was trained across the valley and shot into the ranks of the men of the east, and how, inflamed by this accident, the men of the east trained their guns across the valley into the ranks of the men of the west, and while these foolish people were slaughtering one another, the Doones sallied forth and put both counties to flight and continued to rob and kill and outrage for years to come?

Let us heed the lesson, my countrymen. Let me say to Gov. Kitchin and Senator SIMMONS and Chief Justice Clark: "The Doones are in the valley. I pray you, gentlemen, train your guns a little lower."

We must drive out the plunderers. We must conquer the common enemy. We must hold North Carolina in the Democratic column. We must secure for our children the blessings of education. We must together work out better conditions for our labor and for those who toil. We must, in conjunction with the National Government, make our public roads both the cause and evidence of our civilization. We must safeguard the suffrage and see that it remains where we put it in 1900—on a basis of intelligence.

#### THE THINGS IN WHICH NORTH CAROLINA IS MAKING PROGRESS.

We have indeed gone far in North Carolina. A recent writer has declared that the progress of a State may be determined by the things which are now done as a matter of course which used to be the subject of debate. Tested by this standard, North Carolina has advanced rapidly under Democratic rule. The right of every child to a public school education is no longer a subject of controversy but is acknowledged by everyone. The duty and wisdom of adequate, excellent public roads is not only acknowledged by everybody, but has recently been emphasized by the mud through which we have slowly dragged ourselves to the markets of the State. The right of children to be safeguarded in the time of their growth and development against overwork in factories is a right which no one now disputes. The duty of caring for the afflicted, whether due to age or infirmity, has been translated into so beautiful an application and has been performed with such steadfastness as to render one who would now deny it contemptible in the sight of all the people. The holy obligation of unstopping the ears of the deaf and making the blind to see, of making easy for the old soldiers and their widows their descent on the other side of the hill that leads to the overflowing river, has become the common heritage of us all. The paramount object of the State to obtain peace and quiet and good order to the end that men may quietly work out their own destinies has been rendered emphatic by performance. And no more does anyone, whatever may be

his view about the efficacy of prohibition, ever expect to see again the dominance of the barroom and whisky still in the civic and political life of this great State of ours.

#### AYCOCK'S FAREWELL TO HIS PEOPLE.

We stand a-tiptoe on the misty mountain height and see the morning sun make purple the glories of the east. We are entering upon a new day, the day of equality of opportunity, the hour when every man shall be free to work mightily for himself until his soul, filled to satisfaction, shall overflow with a common benefit to mankind, owing no tribute to anyone and bound only to love his fellow man and serve his God as to him may seem best.

"May these things be;"

Sighing she spoke;

"I fear they will not,

Dear, but let us type them now

In our own lives, and this proud watchword rest,

Of equal."

Equal! That is the word. On that word I plant myself and my party—the equal right of every child born on earth to have the opportunity "to burgeon out all that there is within him."

#### PENSIONS.

Mr. RICHARDSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 21478) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Andrew N. Shuttleworth, late of Company H, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$10 per month.

The name of John Moore, late of Troop H, Tenth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Walter Cox, late of Company G, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of John S. Edmonds, late of band, Second Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$8 per month.

The name of William W. Barber, late of Capt. E. T. Kendrick's independent company, Florida Mounted Volunteers, Seminole Indian War, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Wright W. Patrick, late of Capt. Bullock's independent company, Florida Mounted Volunteers, Seminole Indian War, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of John Johnson, late of Company E, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Benjamin J. Oswald, late of Company I, Twenty-second Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sam Smallpage, late of Company D, Fourth Regiment United States Infantry, Oregon and Washington Territory Indian War, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The above bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 194. Andrew N. Shuttleworth.	H. R. 12240. Wright W. Patrick.
H. R. 488. John Moore.	H. R. 12560. John Johnson
H. R. 607. Walter Cox.	H. R. 14187. Benjamin J. Oswald.
H. R. 4954. John S. Edmonds.	H. R. 17532. Sam Smallpage.
H. R. 12236. William W. Barber.	

The SPEAKER. Is there a second demanded?

Mr. RODDENBERY. Mr. Speaker, I demand a second.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Georgia asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Alabama is entitled to 20 minutes and the gentleman from Georgia to 20 minutes.

Mr. RICHARDSON. Mr. Speaker, I desire to say in connection with this bill that it carries with it the sum of \$1,152, as follows: Three Spanish War soldiers, three Regular Army soldiers, and three Indian war survivors. That is the amount the bill carries. If the gentleman from Georgia desires to make any inquiry about any of the cases referred to, I will be very glad to give him the information.

Mr. RODDENBERY. Mr. Speaker, I would like to inquire of the gentleman if this is not one of the bills the nature and character of which is particularly provided for in the rules to be taken up and considered as in order on two Fridays in the month known as pension Fridays?

Mr. RICHARDSON. This is a motion made to suspend the rules, as the gentleman understands, and it is in order under my motion for the House to pass this bill. I do not see any occasion for my answering the inquiry further and entering into unnecessary particulars. I quote for the gentleman's benefit the rule under which I made the motion, as follows:

Par. 4. Rule XXVII. After the Unanimous Consent Calendar shall have been called on any Monday, and motions to suspend the rules have been disposed of, it shall be in order to call up any such motion which shall have been entered at least seven days prior thereto.

Mr. RODDENBERY. Until just now these bills and bills similar in character have not been considered under suspension of the rules, however, but have been considered on pension Friday.

Mr. RICHARDSON. That may be true, but what objection has the gentleman to considering them now?

Mr. RODDENBERY. I was merely asking the question.

Mr. RICHARDSON. I say that may be true.

Mr. RODDENBERY. I would like to inquire, further, if there is any particular reason why instead of considering this class of bills on pension Friday, under the rule, it is necessary in the gentleman's judgment to discontinue taking them up on that day and consider them under motion to suspend the rules?

Mr. RICHARDSON. Does the gentleman ask my judgment on the question?

Mr. RODDENBERY. No. Is there any statement the gentleman desires to make about it?

Mr. RICHARDSON. Mr. Speaker, I think it is necessary to take them up in the manner we are now proposing to take them up. I do not want to go into an elaborate statement of my reasons for that, but I believe it is necessary in order to get bills properly passed which are deserving in every respect, so much so that we ought to resort to the motion which I have made to suspend the rules and pass the bill.

Mr. RODDENBERY. Then, in response to the gentleman's suggestion, I desire to call attention to the fact that in the committee report, on page 4, near the bottom, we find the case of Walter Cox, of Portalo, Cal., showing applications from time to time made by this proposed pensioner through the bureau for a pension under the general statute. Your report reciting that the Pension Department did not find that he was entitled to a pension resulting from service, and finally the committee concludes that the injury was received in service in line of duty. Does this report show all the evidence upon which the committee reached the conclusion that the Pension Commissioner was in error in his decision and that the committee was right?

Mr. RICHARDSON. In my judgment, the report does show that.

Mr. RODDENBERY. The report contains—

Mr. RICHARDSON. Substantially the facts upon which the committee acted.

The SPEAKER. The question is, Shall the rules be suspended?

Mr. RODDENBERY. Mr. Speaker, I desire to avail myself of time; I was asking the gentleman questions out of his time.

The SPEAKER. The Chair thought the gentleman had taken his seat and relinquished his right to the floor. The gentleman from Georgia. Does the gentleman from Alabama reserve the balance of his time?

Mr. RICHARDSON. I do.

Mr. RODDENBERY. Mr. Speaker, I desire in the time allowed under suspension of the rules to discuss the Spanish-American War pension system a little. I desire to preface that statement with a little matter of history. Until this time so far as I can find in the CONGRESSIONAL RECORD relating to the consideration of private pension bills for the Spanish-American War, the Philippine skirmish, and so forth, that it has not been the practice to move to suspend the rules and move to pass the bills without consideration. Under existing parliamentary law adopted by this House private pension legislation is preferred above all other legislation twice a month. These are called "Pension Fridays." Private pension bills are given the right of way. The Pension Committee can bring them in and consider and pass them, but now the Pensions Committee has seen proper to let that rule become obsolete. They do not use or employ that rule in the consideration of private pension legislation. There is nothing in the RECORD of recent date showing any necessity, any reason why the Democratic majority should abandon Rule 870 and on another day, given over ordinarily to other business, move to suspend the rules and pass these bills. To do that is, in effect, to say that no Member has a right to move to amend a bill; to do that is, in effect, to say that, no matter how unjust, how erroneous, or how obnoxious any bill may be, the House is powerless to strike that item from the bill. To resort to motion to suspend the rules and desert the established rule of procedure for the consideration of private pension bills is, in effect, to say that no Member has a right to discuss, paragraph by paragraph, the items of the bill and move to strike them out or move to amend a single one of them. This motion to suspend the rules denies to any Member of the House the right to move to recommit a bill for perfection, for amendment, or for any action. Not only that but it limits the entire discussion on one of these omnibus bills to 40 minutes—20 minutes to a side.

What justification is there, what precedents, what record, or what conduct appears that has interrupted the procedure for the passage of private pension bills for the Spanish War which justifies the resort of a Democratic House to a suspension of

the rules to pass these bills? The history of parliamentary legislation shows that for 100 years there is no precedent for it under any party's administration. The Republican Party, in all their yearnings and in all their recklessness with pension legislation, has never done it. The Democratic Party, in its former days of power has never done it. I present, Mr. Speaker, to Members of the House and to the committee frankly and in seriousness, Is the motion to suspend the rules and pass the bill a normal and ordinary procedure? This is our Rule 870. I will read part of it:

On Friday of each week, after the disposal of such business on the Speaker's table as requires reference only, it shall be in order to entertain a motion for the House to resolve itself into the Committee of the Whole House to consider business on the Private Calendar in the following order: On the second and fourth Fridays of each month preference shall be given to the consideration of private pension claims and bills removing political disabilities and bills removing the charge of desertion.

Now, here is an express rule of the House providing for the consideration of these bills and of this very bill. That rule opens up a bill to general debate for an hour or more. This extraordinary motion now invoked cuts it off to 40 minutes. This rule I have read opens up the bill to amendment; your motion now shuts off amendment. This rule which I read allows discussion of each item in the bill under the five-minute rule, gives the right to inquire, to investigate, to strike out, to amend—

Mr. FOWLER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Illinois [Mr. FOWLER]?

Mr. RODDENBERY. I should prefer not to yield.

The SPEAKER. The gentleman declines to yield.

Mr. RODDENBERY. If I had physical strength, I should be glad to do so. The rule I have read permits a motion to recommit the bill; the rule you invoke denies that right.

This is a Democratic House and a Democratic majority. What reason does this Democratic House and this Democratic majority give for undertaking to pass this bill under a motion to suspend the rules? The record of our party is against this procedure in any legislation except where the exigencies of the case require it. What are the exigencies of the case now? Take this session of Congress, and the various Spanish-American War private bills, search the records, and where has any delay, where has any interposition, where has any undue discussion been indulged to justify this course of action? Does the gentleman propose to bring the Spanish War private bills in under motions to suspend the rules because there have been some liberal discussions on private pension bills from another committee? If so, why? I submit that the Democratic majority in resorting to this procedure is going back on its professions to the people in past campaigns that we were in favor of fair discussion and of the right of open debate; that we were opposed to gag rule; we were opposed to "Cannonism"; that we were opposed to turning the House into a tyranny; and that we were in favor of Members fairly and publicly considering all proposed legislation. If there is any good reason for it now, I presume gentlemen in their time will give it.

I desire to advert to another subject. I hold here a letter from the National Headquarters, United Spanish War Veterans, 35 Nassau Street, Room 1003, New York City. It is a polite and a proper letter, addressed to all the Members of the House, under date of March 19, 1912. I shall place the entire letter in the RECORD, lest by the few lines I discuss the author or some other gentleman might think that the discussion that we indulge upon it is not fair in the light of the entire letter. Our discussion will be no criticism of the letter, its propriety, or of the gentleman who transmits it to us. I will only read extracts from it.

This communication is addressed to us on behalf of the honorably discharged soldiers, sailors, and marines who served in the United States forces during the War with Spain, the incidental insurrection in the Philippine Islands, and the Boxer campaign in China. Approximately 400,000 men followed the colors in the said warfares, the letter alleges.

This letter touches a bill that proposes to extend special pensions to dependents of these soldiers. In the course of time, we will say, widows and children will add 100,000 more. So we have an organization that now comes to Congress and recites to us that 400,000 American citizens were engaged in these divers warfares—the bare scrimmage of the Spanish and Philippine War. What does it portend for the future? When we begin with this private pension legislation plus the general statute for pensions to the Spanish-American soldiers, we as Members of Congress stand face to face with the proposition that these men, now in the prime of their manhood, through this organization are building the foundation for a system of pensions that has for its future operation constant preying upon the Treasury by 400,000 men and 100,000 widows and children.

Mr. DYER. Does the gentleman yield?

The SPEAKER. Will the gentleman yield to the gentleman from Missouri?

Mr. RODDENBERRY. I will yield.

Mr. DYER. Does the letter the gentleman refers to make reference to pensions for these 400,000 men?

Mr. RODDENBERRY. Not at all. I am glad the gentleman asked the question. This deals only with pensions for the widows. But the gentleman knows that there are pensions now provided for Spanish War soldiers. The gentleman sees now every two weeks these small and moderate private pension bills that are brought in for the Spanish War soldiers. And what we are calling the attention of the House to now is that Congress sees the very beginning of another pension system that will grow, extend, and swell, and who knows or who doubts but in the future it will be liberalized, liberalized, liberalized, until hundreds of thousands of these strong men have this organization seeking pensions for them? We can not close our eyes to the future.

I read a portion of the letter that hints at it:

Under existing law but few families in the Southland are benefited, for the great bulk of Government expenditure for pensions is restricted to Union veterans, their survivors, and dependents. Our measure wipes out Mason and Dixon's line.

Thus the letter reads.

Gentlemen, that view of any legislation is abhorrent to my judgment, and conflicts with what I think is a just proposal. It requires no pension system to wipe out what is called the Mason and Dixon line. You do not have to give to the southern country any measure of patronage for rivers and harbors, for pensions, or battleships, or anything else in order to wipe out that line. It is gone and has been gone for 40 years. [Applause.] Our loyalty is an unpurchasable quality; our patriotism is above any price.

It is true that from my section these true and hardy Spanish War soldiers came, many of them, but it does not alter the proposition that no scheme of popularizing a spurious pension system should be sought to gain favor by saying that it wipes out sectional lines. Seven of the Northern States now get half of all the pensions for the Union Army; and if those pensions are right, if they are just, I should not protest against it and should raise no voice against it, even if all of it went to one State.

I do not understand that these pensions are given to Union soldiers in order to distribute money over the country, but as recognition of the services of the soldiery of this country, without regard to what States they enlisted from or what State they now reside in.

And such ought to be the view with which we approach a consideration of the Spanish War pensions. And I now call the attention of the House to it. In 30 years, in 20 years from to-day, if the present policy of private pensions goes on and increases in the same ratio that private pensions in the past have increased, and if the laws allowing pensions to the Spanish War soldiers are liberalized and extended as other pension laws have been extended, we shall see at the end of 25 years a pension roll the equal in its volume to the pension roll of to-day, and we may as well admit it now.

I submit that when these private bills are brought in here for these men, time should be had to discuss them, opportunity should be given to move amendments, and opportunity should be given to discuss them under the five-minute rule as other legislation. [Applause.]

FLOODS ON THE MISSISSIPPI AND ITS TRIBUTARIES (H. DOC. NO. 688).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Rivers and Harbors and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith communication from the Secretary of War, in which he sets out the necessity for an additional appropriation to meet the expenses which have been incurred and are likely to be incurred by the War Department in meeting the emergency of the present floods upon the Mississippi and its tributaries.

The estimate includes an estimate of \$300,000 from the Chief of Engineers, in addition to the \$350,000 already appropriated, to be used for the same purpose as the original appropriation, in protecting levees against impending floods. It applies to the tributaries of the Mississippi as well as the main river, but does not include any estimate for damages already caused in districts where the crest of the flood has passed.

The Quartermaster General estimates that an expenditure of \$275,000 will be required to cover the expenses which he is incurring, and will be obliged to incur, in furnishing shelter, forage for cattle and horses, transportation, etc.

The Commissary General estimates that he will require the sum of \$212,879.11 to cover the expense of the rations which he is supplying, and will be obliged to supply, to the thousands of destitute persons in the flood regions.

The crest of the flood is now reaching the lower portion of the Mississippi, where the country is flatter and where the danger to the levees is at least as great as above, and where the damage and loss to persons and property, if crevasses occur, will be far greater than on the upper river, necessitating even a greater amount of relief work than that already incurred.

These estimates have been carefully made and are based on communications from officers of the Army now upon the ground superintending the relief and engineering work.

I respectfully urge upon Congress the importance of meeting this great emergency. The estimates, copies of which are transmitted herewith, have been sent regularly to the Secretary of the Treasury to be submitted to Congress.

WM. H. TAFT.

THE WHITE HOUSE, April 15, 1912.

#### PENSIONS.

Mr. RICHARDSON. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. MURRAY].

The SPEAKER. The gentleman from Massachusetts [Mr. MURRAY] is recognized.

Mr. MURRAY. Mr. Speaker, it is always a matter of regret in this House and out of this House for me to have to disagree with one for whom I have such pleasant feelings as I have for my colleague from Georgia [Mr. RODDENBERRY]. But, Mr. Speaker, when I find him holding such a positive and antagonistic viewpoint on pending legislation as he has of legislation for relief of widows and orphans of deceased Spanish War veterans, I feel that it is necessary for me to rise and say that I sincerely hope the motion of the gentleman from Alabama [Mr. RICHARDSON] to suspend the rules may be adopted. I hope that the pending measure may be speedily passed and that soon, before the end of this session of Congress has arrived, we may have an opportunity to pass upon a unanimous report of the Committee on Pensions in favor of pension legislation for the widows and orphans of deceased soldiers and sailors who served in the War with Spain.

I do not now wish to refer particularly to applications for pensions by survivors and widows of veterans of the Spanish-American War, but I know something from my limited experience of the difficulties one encounters in convincing the Pension Commissioner, under the provisions of the general law, as to the merits of cases. I know something, too, of the difficulties of convincing the chairman and members of the Committee on Pensions, because of their painstaking and sincere desire to see only exact justice done to the country as well as to the men who petition for pension relief; and I feel confident, because of that experience, that these measures that are to-day reported must come to us only after the most careful consideration at the hands of the men who compose that committee. [Applause.]

I know something of the men for whom I have tried to secure pension legislation in this Congress. I regret that my colleague from Georgia [Mr. RODDENBERRY] was not one of those 400,000 men who went forth in 1898, in order that he might to-day have something of intimate knowledge of the facts and personal association with the men involved in some of those cases. I would like to speak as I stand here of that splendid son of his own State of Georgia who was in the same company in which I was honored to be allowed to serve; a man who was a splendid specimen of physical manhood on the first day I saw him, when we held up our hands together and took the oath of allegiance to support the Constitution and to follow the flag wherever it might be carried. And we swore to serve wherever we might be sent and for so long a time as we might be needed. And then I reflect upon the terrible change that came over him as the direct result of malarial fever, contracted not only in Cuba but in some of the places in the Southland, because the conditions that prevailed in 1898, when we were there, were not nearly so pleasant as some of us have found them on occasions since that time. I wonder, as I stand here, whether or not this day may bring to me the news that that comrade of mine of 1898, after a terrible struggle that has lasted now for nearly 14 years, may not have been compelled to yield up his life as a result of the terrible tuberculosis that he contracted because of that service. I cite that case as splendidly typical of many men who have had a similar experience. I remind the gentleman that this bill is not for the relief of Spanish War veterans themselves. It is for the relief of widows and orphans of men who gave their lives, either through the disaster of war, or through disease in time of peace, as a result of that service.

Mr. DYER. Right on the matter the gentleman is speaking of, the gentleman is acquainted with the letter which has been referred to?

Mr. MURRAY. Yes; and my colleague said he was going to incorporate it in the Record.

Mr. DYER. With regard to the Crago bill, I should like to have the gentleman state approximately how many widows that bill would apply to.

Mr. MURRAY. The purpose of the gentleman's question is entirely friendly, because the gentleman from Missouri [Mr. DYER] served in 1898 in the Spanish War and he knows the number of widows who will be benefited by this bill is infinitesimally small in comparison with the 400,000 men who served. In the first place, it affects, of course, only those comrades of that war who have married, and many of them are still unmarried. It applies not even to all the married veterans of that war, but to those only who have died leaving widows and orphans that are dependent. It is most unselfish legislation, and I congratulate my comrades of the Spanish War that they have begun their fight for recognition by the presentation of such a satisfactory bill. I hope that the Pension Committee may report soon in favor of the bill that is criticized by my colleague, or one like it. [Applause.]

Mr. RICHARDSON. Mr. Speaker, I see no occasion to use any more of the time allotted to me.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds voting in the affirmative, the rules were suspended, and the bill was passed.

#### PENSIONS.

Mr. RICHARDSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 22194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The gentleman from Alabama moves to suspend the rules and pass a bill, which will be read by the Clerk.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Lucy F. Geiger, widow of William A. Geiger, late of the United States Marine Corps, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of a minor child of the soldier until she shall reach the age of 16 years.

The name of Major C. Hungate, late of Capt. John S. Ford's company (first company), Texas Volunteers, Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Thomas Smith, late of Company C, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alice Downing, widow of Bedford M. Downing, late of Company B, First Regiment District of Columbia Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of three minor children of the soldier until they, respectively, reach the age of 16 years.

The name of Lewis G. Murray, late of Company D, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Thomas Joyce, late of Company D, Second Regiment United States Infantry, Florida Indian War, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Harry F. Keefer, late of Company K, Fourth Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Henry F. Mackey, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary Norris Tillman, widow of James H. Tillman, deceased, late colonel First Regiment South Carolina Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$30 per month, and \$2 per month additional on account of one minor child of the officer until such child reaches the age of 16 years.

The above bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 8580. Lucy F. Geiger.	H. R. 16637. Thomas Joyce.
H. R. 13129. Major C. Hungate.	H. R. 17307. Harry F. Keefer.
H. R. 15222. Thomas Smith.	H. R. 19632. Henry F. Mackey.
H. R. 15514. Alice Downing.	H. R. 19733. Mary Norris Tillman.
H. R. 15733. Lewis G. Murray.	

The SPEAKER. Is a second demanded?

Mr. RODDENBERRY. I demand a second.

Mr. RICHARDSON. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Georgia [Mr. RODDENBERRY] demands a second, and the gentleman from Alabama [Mr. RICHARDSON] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. RICHARDSON. Mr. Speaker, I desire to say to the House that this bill carries with it the aggregate sum of \$1,872. It is for the benefit of certain Spanish War soldiers, six of the

cases being original and one an increase, and of Indian war survivors—19 in all. As I said, the amounts aggregate \$1,872.

I reserve the balance of my time.

Mr. RODDENBERRY. Mr. Speaker, my remarks on the previous bill were not directed to a consideration of the merits of the Crago bill, but I specially disclaimed such intention. But the entire spirit of the letter emanating from the headquarters of the Spanish War Veterans asserts that the soldiers of the Spanish War should be put on an equal or like footing with the soldiers of the late Civil War. There is reason for calling attention to the fact that this claim is not borne out by the facts and justice of the case. Neither now, nor 5 years from now, nor 20 years from now, nor 30 years from now, should a soldier of the Spanish War necessarily be placed upon the same footing with the soldiers of the great Civil War.

Where the soldier of the Spanish War received an injury or a disability resulting from his enlistment he should stand, so far as a pension is concerned, upon the same footing, but in no other respect. The Spanish War demonstrated that the American soldier was patriotic, was brave, and would go to the defense of his country if need be. They were as courageous as the soldiers of 40 years ago. I would not detract one whit from their patriotism, their courage, or from their readiness to serve their country. There were many instances of inspiring heroism. But the other war was a different struggle covering a different period. It was a fight of brothers against brothers, the most terrific, the most titanic war of all time. It literally took the strength of both sections of the country to determine the great issue.

But here is the Spanish-American War, with scarcely a thousand men who fell in real battle. It was only a skirmish; there never was a real battle either on sea or on land. There was courage, there was valor, there was patriotism, and no doubt they would all have given up their lives if need be, but to liken it to the great war of the sixties is like a vanishing shadow and takes a strong imagination to do it. Now, take the Crago bill, if you choose. It gives not alone to widows and dependents of soldiers whose death resulted from injuries in the war, but it provides that they shall be pensioned, without proving his death to be the result of his Army service, and it is not necessary that the soldier should have been married during the enlistment. The only requirement is that he shall have married before he was 50 years of age.

Look at a further provision. Not only the widows of dependent soldiers are the beneficiaries under this act, but it includes the widows and orphans of the acting assistant surgeons, contract doctors, dentists, the veterinary surgeons, officers and enlisted men in the Revenue-Cutter Service who were temporarily in vessels or in the Army. That is the proposition. I am not discussing the bill on its merits, as if it were up for passage, but merely to point out what is the present drift of this pension proposition and to let you see now that the war, if it was a war, threatens to load upon the backs of our people pensions to the widows of the tooth doctor, the horse doctor, wagon driver, and the assistant surgeons, who never left the soil of Tennessee, who never left the domain of Georgia or other States. Now, many of these soldiers joyously encamped at Chickamauga never left the State. The only officer that I know to be drawing a pension is a colonel who fell off the wagon and sprained his rib. After they enlisted they had good rations. A good many of them died from bad water, others perished from mean rum, and a number lost their lives from eating tough beef.

But, gentlemen, I present it to you now that this bill carries pensions to widows of young men who were glad to go out to Chickamauga and other agreeable encampments with a brass band and enjoy a season of camp life. They saw country that they never would have seen but for that. They were in camp with good tents; they had rations served; they had martial music; and a picnic the like of which many young men in this country had never before seen and perhaps will never have again. Now, the United Spanish War Veteran Association is going to begin, not by pensioning the horse doctors, not by pensioning the tooth carpenters, not by pensioning the subaltern surgeons, but by fixing their widows, and the next thing they will be fixing the soldiers. We may as well look it square in the face. I call your attention to it now. The judgment of the country will determine 5 years, 10 years, 20 years from now whether the prophecy now made will be verified or not. If this policy is pursued, with your 40-minute gag rule and suspension debate, you can not strike out the undeserving case. These soldiers in this bill claim that they went to war; they do not claim to have fought; they do not claim to have been injured; they do not claim on battle field to have contracted disease. The record does not show it, the re-

port does not show it; but they took the lockjaw; they took the typhoid fever; they took the bilious fever years after they left the Army in good health. They never saw a real general; never got within 1,000 miles of a gunshot; some of them never got within 2,000 miles of Cuba; some of them never toted a loaded gun except with powder and no ball for dress parade. They never left Chickamauga and other peaceful camps except to go around the country on excursions. Now we are proposing to pension them at \$20 a month, at \$30 a month, and so on. It is not patriotic, it is not in line with the country's duty to its soldiers.

I have no doubt that the boys who went from my town, from my county, from my district, and from my State were as ready to do battle if need be as any soldiers, but it is no wise policy now for this Government to begin to pacify a little southern sentiment by passing these Spanish War bills. It is only a scheme to pacify the pension sentiment of the country with little Spanish War pepper put on the sauce of the great Civil War pensions so that they will go down easy. Gentlemen, I will vote for one of the Civil War pension bills when it is just, not because the Spanish War soldier from my section is now recognized, but because every great Government should pension the soldiers who battle and die for it or sustain an injury by it.

But let us have none of this camp-fire business, none of this holiday picnic of 1898, none of this dress parade, none of this blue coat and brass buttons and marine bands, to lead them around under the shadow of the mountains and in the green valleys, where they had fresh Tennessee chicken and Kentucky eggs and mountain trout in abundance, with honey from the hillside and sirup under the cane patch—where they fed and fattened in the most luxurious living any young American ever had. And now they come, and dignify it with the name of war, and as soldiers want a pension. Gentlemen, it would be scandalous if it were not so ridiculous.

Mr. Speaker, this is no observation we are making against your old Federal soldiers. This is no tirade that we are making for my country against your northern soldier. This is no effort to deny to the scar-worn veteran of any war a pension, but a protest, feeble, under disadvantages and in the minority, against giving pensions now by special bills to men who enjoyed a holiday, who drew their pay at 100 cents on the dollar, with the best equipment, the best tents, the best rations, the best water, and the least sacrifice and no fighting at all.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. RODDENBERY. Certainly.

Mr. DYER. Does the gentleman speak from experience as a soldier, from what he has observed, or from what somebody has told him?

Mr. RODDENBERY. Mr. Speaker, I speak from as much experience of dangers as 90 per cent of these fellows in these special Spanish War bills the House is now about to pass. I have toted a gun oftener, have been in greater danger, had more sorry rations, been hungrier and more tired, and now and within the last 10 weeks have submitted to more dangerous and perilous assaults from my colleagues in the House on this pension graft than 1 per cent of the Spanish soldiers ever saw or ever will. [Applause and laughter.]

It was no war. It was barely a skirmish. Why, even the President enjoyed the holiday, as did the great ex-President; the would-be President, the thrice-time candidate for President; and every politician in the country who wanted to get in line of political promotion, all knowing that Spain did not have a boat that a Winchester would not sink and that the falling dynasty of Spain did not have a soldiery that a regiment of schoolboys could not put to rout. The Rough Riders rushed up San Juan Hill and then to the White House.

Mr. MURDOCK. Does the gentleman include Mr. William Jennings Bryan in that?

Mr. RODDENBERY. William Jennings Bryan was no less patriotic, but not quite as persevering.

Mr. YOUNG of Kansas. Not quite successful.

Mr. RODDENBERY. Not quite so successful. The ex-President not only beat Bryan to the war, but he grabbed up Bryan's political paraphernalia, all of his progressive accoutrements, his ammunition, his doctrines, his bombshells and explosives, and marched up before the American people, leaving Bryan standing on Gibraltar alone, and with the acclaim of thousands was inducted into the position of Commander in Chief of all of the Armies of the United States, and we hailed him President.

Mr. FINLEY. Mr. Speaker, will the gentleman yield?

Mr. RODDENBERY. Certainly.

Mr. FINLEY. Has the gentleman seen or heard of that famous picture of the ex-President of the United States charg-

ing up San Juan Hill on a black charger, when there was not a horse within 40 miles of that battle ground?

Mr. RODDENBERY. I have not seen the picture. I do not know whether it is so or not, but that black charger brings this to my mind: If you really want to do something for these good Spanish War boys join with me and go down here to this Pension Office and take out the Africans, turn them out of their jobs, and give the places to our Spanish War soldiers, and keep them there as long as they are able to work and labor. Let them administer a Caucasian government supported by Caucasian taxpayers. When they get too old, if they are indigent, then consider pensioning them; then go down Pennsylvania Avenue to this massive War and Navy Building, walk up and down the aisles, and take those black sons of the coconut region who sit there with big brown drops of sweat coming out of their foreheads, kick them out, and put these old veterans of the Civil War there by those tables, at those telephones under those electric fans, and as long as they are able to labor let them have the benefit of the Nation's offices and gratitude. You have taken those old heroes of that great struggle and sent them out to labor and toil to pay taxes to support these Africans, for whom they offered their lives that they might be free. If you have anything to give out, go to the sons of these veterans of the Civil War and bring them from the mine, bring them from the field and shop and fill these negroes' places with them. Let not the old pioneer of this country at 90 years of age be felling a tree in the forest, where by reason of his infirmity he drops dead beneath its shock. Give him and his kind a quiet and easy position now enjoyed by a "kinky head."

Take this class of men in their infirmity and give them these do-nothing, sitting-down jobs, and turn this mixed brood of African tree climbers out to earn a living on the farms and in the fields. [Laughter.] You can fool the white people of this country no longer by putting a fellow here and there in an office and giving him a salary and telling him how he shall vote. They are tired being paid off with \$50 jobs while the African draws \$100. Times are changed, and the sons of these old veterans are not going to stand for it any longer. They are not going to let their fathers go out and fight for four years to give the Ethiopian liberty and then submit to our taxing them the balance of their lives to give buck Africans jobs in all these departments around here and all over this country. So if you want to do something for the Spanish War soldier and the son of a veteran of the Civil War and the old veteran himself, fire these political signposts out. There are about 50,000 of them drawing all the way from \$3,000 down to \$300. Put the Anglo-Saxon in. They are honorable; they are our blood. They helped save this country, if saved it was. They have made this country and will perpetuate it. Do something for them now. Turn Africa out and let America in. This ebony-hued tribe have thousands of comfortable positions, sitting on plush-bottom chairs, with feet resting on stone tiling, with ears listening to the hum of the electric fans while pictures of our mighty men are hanging on the walls around them. Year in and year out these black-tinted Africans, emitting the compound aroma of cucumber and onion, do nothing and draw salaries, and my people and yours labor to furnish the gold to pay them with. Go down to the Bureau of Printing and Engraving where there stands a pure white girl working day by day and next to her a black negro working day by day—

The SPEAKER. The time of the gentleman has expired.

Mr. RODDENBERY. Fire them out! Fire them out! Fire them out! [Laughter.] If you have got Caucasian blood in your veins kick them out. In their places establish the soldier, his sons, and his daughters, the builders and the preservers of this Republic.

The following is the letter referred to in my remarks:

NATIONAL HEADQUARTERS UNITED SPANISH WAR VETERANS,  
New York City, March 19, 1912.

HON. S. A. RODDENBERY, M. C.,  
Washington, D. C.

DEAR SIR: This communication is addressed to you on behalf of the honorably discharged soldiers, sailors, and marines who served in the United States forces during the War with Spain, the incidental insurrection in the Philippine Islands, and the Boxer campaign in China. Approximately 400,000 men followed the colors in the said warfares. They have received scant statutory recognition from the National Government.

Speaking for my comrades, I ask your support for H. R. 17470, introduced by Hon. THOMAS S. CRAGO, of Pennsylvania, which provides that if any member of the classes described has died or shall hereafter die, leaving a widow or minor children, the widow during her widowhood shall receive a monthly allowance of \$12 for herself, and of \$2 for each child under 16 years, the allowance being contingent on the fact that the soldier or sailor shall have married before attaining the age of 50 years. We seek to enlist your vote and aid on the following grounds:

1. This measure seeks no pension for the comrades, but merely for their dependent widows and orphans.
2. The Government, in grateful recognition of the services of the soldiers and sailors of all the other wars of our Republic, has enacted

similar statutes in their behalf. Failure to adopt this resolution will make our comrades the subjects of an unjust and uncharitable discrimination.

3. Under existing laws but few families in the Southland are benefited, for the great bulk of governmental expenditure for pensions is distributed to Union veterans, their survivors and dependents. Our measure wipes out the Mason and Dixon line. It places the widows and orphans of the comrades of Fitzhugh Lee and Joe Wheeler on an equal footing with the dependents of those who enlisted from the Northern States.

4. Inquiry at the Pension Office discloses the fact that the Crago bill will involve no heavy appropriation. The majority of our comrades are unmarried. Most of them are in the prime of young manhood. The maladies of old age have not had an opportunity to produce their fatal result. The widows and orphans to be benefited constitute, therefore, a limited class. The appropriation necessitated will be but a very small fraction of that required by the acts which grant pensions to the widows and dependents of the 2,775,000 men who served in the Federal forces in the war between the States.

For the foregoing reasons we, who offered our lives for our country, asking no odds for ourselves, request that the Government, in grateful recognition, extend its protecting hand to our widows and orphans when we are gone.

Will you favor me with an acknowledgment of this letter, expressing your views?

Respectfully, yours,

MAURICE SIMMONS,  
*Commander in Chief.*

Mr. RICHARDSON. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I can not sit quietly here and listen to the statement of the gentleman from Georgia with reference to the services of the men who enlisted and served during the Spanish-American War. The great body of the men who composed that volunteer army came from the ranks of the plain, common people. More than four regiments enlisted in the mountains of eastern Tennessee. They were, with few exceptions, the sons of the laboring men, of the mechanics. They had no property rights to fight for; they fought for the honor and the glory of our common country. [Applause.] They were men who depended upon their daily wage to provide the means of livelihood for their wives and children and were eager and anxious to follow our flag. Well do I remember when the call was made, how nobly and patriotically Tennessee's sons responded—and we all know how illy prepared we were for that war. Our great President, McKinley, hesitated and told Congress that we were not prepared. I remember a great gathering in the city of Knoxville, where the number of recruits was only excelled by the great city of New York. The patriotic citizens of that city provided shelter, clothing, and provisions until the State could handle the situation.

Well do I remember a number of instances where old men who had bared their breasts to the storm of bullets in the Civil War actually cried when the recruiting officers refused to accept their services.

They went forward and they lived for months under a system of drilling and training in Chickamauga Park. The country remembers that deadly scourge of typhoid fever and how many of the strong, healthy, and robust young men were carried by their new comrades to their last peaceful sleep. I remember when the Secretary of War ordered the removal of many of the regiments from the fever-stricken field of Chickamauga and they sent three regiments to Knoxville, where we have pure air and perfect sanitary conditions. I passed through the hospitals on inspection day and I saw the soldier boys from Ohio, Michigan, and other States fighting not the fight of battle with Spaniards, but fighting for life against the deadly fever. Yet some one here this day complains because the Committee on Pensions wishes to do justice to these men.

Ah, my countrymen, shame upon such a performance! No Spanish-American soldier under our laws to-day can be pensioned unless by the strictest and most overwhelming proof he can show that his disability or injury was incurred in line of duty. Now, if some Spanish-American soldier, as occurred in eastern Tennessee, was killed by an assassin's bullet as he was standing by the side of his wife, this great Government can not pension the widow under existing laws.

The SPEAKER. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Speaker, I would like five minutes more.

Mr. RICHARDSON. I can give the gentleman two minutes more.

The SPEAKER. The gentleman from Tennessee is recognized for two minutes.

Mr. AUSTIN. That little widow now lives in the mountains of Campbell County, with five children, without means and without a roof to cover her and her little ones, and yet you tell me that this American Congress, representing more than ninety millions of people, the richest, the greatest, and most powerful and resourceful nation on the face of the earth, turns a deaf ear to her appeal. Heaven have pity on a Republic that would deny help to such a woman. [Applause.]

Take the chairman of this committee [Mr. RICHARDSON], a southern man, a brave ex-Confederate soldier, who reports these

ills. The issue was made against him in a recent primary election in Alabama that he was reporting and supporting these bills. When that appeal or challenge was made to the electorate of that district, they arose in their mighty wrath, putting the seal of their condemnation upon his critics; and, be it said to their everlasting credit, they decided to return him here by an increased majority. [Applause.]

Mr. RICHARDSON. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for eight minutes.

Mr. MANN. Mr. Speaker, I desire to consume only a moment or two. I am not willing to let go without any answer the statement made by the gentleman from Georgia [Mr. RODDENBERY], which, in my opinion, slurs both the services and the dangers of the Spanish War soldiers.

Mr. Speaker, in 1898, when the Volunteer soldiers were ordered home from Cuba, I went from my home to Montauk Point, where, among other regiments, was the regiment from my home city. I felt some responsibility because of the part I had taken which had brought on the Spanish War, and I was desirous of giving any aid that I might to the boys who had gone into the war. The officer in command of the camp at Montauk Point was a former colleague in the House, Gen. Wheeler [applause], ex-Confederate soldier, and now also an ex-Union soldier [applause], the man who did much to call attention to the reunion of heart and spirit of the North and the South. And through the courtesy of Gen. Wheeler I was permitted to go through that camp. I watched the Chicago regiment as it landed from the boat and marched to camp up the roadway. I noticed their looks and it brought tears into my eyes. I went through the camp and through the hospital, through tent after tent—these long tents with rows of cots in them—looking especially for any of the boys whom I might know, to see if I could be of any aid to them. And though I have visited many hospitals and seen many people in illness and distress, I never in all my life have seen any case so heart-rending as to illness as I saw when I marched through these tents and saw these boys, yellow and worn to the bone, who only a few months before had marched out in the fullness of hope and health, willing, if necessary, to die for their country, but all of them to forever, during life, bear the results of the hardships they had undertaken.

And whether it be an army in battle, in face of the foe, taking and giving fire, or whether disease overtakes them, it makes no difference to me. The one is as dangerous as the other, and I am willing now, and I hope I shall continue to be willing in the future, to do anything that may be necessary to prove to those who went into the Spanish War and to those who may be asked to volunteer for future wars that if they meet illness, danger, or destruction of health, the great Government of the United States is ready and willing gladly and freely to honor them and itself by taking some care of them. [Applause.]

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### FLOODS ON THE MISSISSIPPI AND ITS TRIBUTARIES.

Mr. RICHARDSON and Mr. SHERLEY rose.

The SPEAKER. The Chair will recognize the gentleman from Alabama [Mr. RICHARDSON] in a moment. The gentleman from Kentucky [Mr. SHERLEY] has a matter of necessity which he wishes to present.

Mr. SHERLEY. Mr. Speaker, a little while ago the President's message relative to the flood situation was referred to the Committee on Rivers and Harbors. That part of it that relates to the protection and care of the levees properly belongs to that committee, but that part which relates to reimbursement to the War Department for expenses in providing food and shelter to the sufferers from the floods should go to the Committee on Appropriations. I ask unanimous consent that the order made heretofore be vacated, and that a new order be made referring the portions of the message as indicated.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the order made referring the President's message to the Committee on Rivers and Harbors be vacated, and that the Chair be authorized to separate the parts of the message and to send one portion, relating to work on the levees, to the Committee on Rivers and Harbors, and the other portion, relating to reimbursing the War Department for money expended for relief of sufferers, to the Committee on Appropriations. Is there objection? [After a pause.] The Chair hears none. It is so ordered, and the reference is so made.

## PENSIONS.

Mr. RICHARDSON. Mr. Speaker, I move to suspend the rules and take up for consideration the bill H. R. 22867, with an amendment thereto.

The SPEAKER. The gentleman from Alabama will please send up to the desk the amendment that he wishes to be read, and the whole matter will be considered together. The Clerk will report the bill.

The Clerk read the bill, as follows:

A bill (H. R. 22867) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Willard D. Cook, late of Battery A, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$8 per month.

The name of Sarah Needham, widow of Michael Needham, late of Company K, Thirteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of George P. Cross, late of Company B, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Reuben J. Reals, late of Company E, First Battalion Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Christopher M. Shaw, late of Battery I, First Regiment United States Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Cornelius Johns, late of Capts. Smith's, Mazell's, and Chamberlin's companies, Florida Volunteers, Florida Seminole Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Mary E. Stannard, widow of Harry Stannard, late of Company E, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of George S. McGuire, late of Company M, Thirty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Henry Hemen, late of Company C, Fifth Regiment United States Infantry, and pay him a pension at the rate of \$15 per month.

The name of Richard P. Ayraud, late of Company E, First Regiment Louisiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$15 per month.

The name of George Innath, late of Company C, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$15 per month.

The name of Hugh L. Freeman, late of Company I, Fourth Regiment Tennessee Volunteer Infantry, War with Mexico, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Wood C. Wilson, late of Troop L, Eighth Regiment United States Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Jane Anderson, widow of John B. Anderson, late of Col. A. W. Doniphan's regiment, Missouri Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$12 per month.

The name of Sarah F. Austin Chamberlin, widow of Franklin Chamberlin, alias Frederick Winthrop, late of the United States ship Benicia, United States Navy, and pay her a pension at the rate of \$12 per month.

The name of Daniel B. Wilson, late of Company I, Third Regiment Virginia Volunteer Infantry, and Company G, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Robert Burns, late major and surgeon of the First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The above bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 2002. Willard D. Cook. H. R. 13531. Richard P. Ayraud.

H. R. 3592. Sarah Needham. H. R. 13932. George Innath.

H. R. 6361. George P. Cross. H. R. 15653. Hugh L. Freeman.

H. R. 9658. Reuben J. Reals. H. R. 17009. Wood C. Wilson.

H. R. 11224. Christopher M. Shaw. H. R. 18468. Jane Anderson.

H. R. 12237. Cornelius Johns. H. R. 18572. Sarah F. Austin Chamberlin.

H. R. 12951. Mary E. Stannard. H. R. 19059. Daniel B. Wilson.

H. R. 13310. George S. McGuire. H. R. 19247. Robert Burns.

H. R. 13456. Henry Hemen.

Mr. RICHARDSON. Mr. Speaker, I send up the amendment, to follow line 9.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert, after line 9, page 4, the following:

"The name of Nathaniel L. Lawrence, late of Company H, Second Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

"The name of Carl H. Ellis, late of Company D, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

"The name of Daniel A. Gay, late of Company G, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

"The name of Patrick J. Hanrahan, late of Company C, Forty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

"The name of Louis O. Edgar, late of Company B, Tenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The SPEAKER pro tempore (Mr. JAMES). Is a second demanded?

Mr. RODDENBERY. I desire, Mr. Speaker, to make a point of order against the amendment offered by the gentleman from

Alabama. He can not offer an amendment and move to suspend the rules at the same time.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. RICHARDSON] moved to suspend the rules and pass the bill with an amendment, which was in order.

Mr. RODDENBERY. I ask for a second, Mr. Speaker.

Mr. RICHARDSON. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. RICHARDSON] is recognized for 20 minutes and the gentleman from Georgia [Mr. RODDENBERY] for 20 minutes.

Mr. RICHARDSON. Mr. Speaker, the original bill carries \$2,664, embracing in all 17 cases. Ten of them are of the War with Spain; four of them are of the regular Navy cases; one is an Indian war increase, and one is a Mexican War increase. The amendment offered carries with it about \$900, making in all \$3,564 which the original bill and the amendment carry.

Mr. Speaker, I reserve the balance of my time.

Mr. RODDENBERY. Mr. Speaker, this is the third or fourth installment of private pension bills for certain Spanish War soldiers who are not entitled under the general law to receive pensions, and is just another bill presented by the chairman of the committee to be passed in the House without opportunity for amendment, without opportunity for discussion paragraph by paragraph, leaving the House absolutely powerless to perfect a bill. There is nothing left for Members to do in its consideration save to go through with the formality of a few words of discussion; and this, notwithstanding the fact that there is now a special rule of the House providing for the consideration and passage of just such pension bills, allowing amendment, allowing discussion, allowing consideration, and allowing an opportunity to perfect the bill.

Some days ago I submitted to the House and had referred to the Committee on Rules a resolution providing for an amendment to the rules, so that there could be no chance of filibustering against these bills. I asked to have it read to the House, and it was objected to, and I now place it in the Record as a part of my remarks:

## Resolution.

Resolved, That the rules of the House be amended as follows: First. No omnibus private pension bill shall be considered by the House until the full report of the committee thereon shall have once been printed in the Record 10 days previous to calling such bill up for consideration.

Second. All general debate on any omnibus private pension bill shall be limited to two hours, one-half to be controlled by proponents of the bill and one-half by the opponents of the bill.

Third. No omnibus private pension bill shall be placed on its passage under suspension of the rules or any special rule, except Members first shall have had opportunity to debate any such bill two hours under the five-minute rule.

The gentleman from Tennessee [Mr. AUSTIN] has just said that this is a great country; that it is a rich and powerful country; that there is no other country like it under the sun. In that I wholly and fully acquiesce. Moreover, it should be such a great country that when it comes to dealing with the pensions of the soldiers of any war, its representatives should see that a pension is bestowed upon every deserving soldier, upon every deserving widow, upon every deserving dependent child, and that no wholesale pension bills should be brought here, putting on the rolls men who never saw war, who never faced danger, who never sustained injury, who never suffered in hospital, who never called in a doctor, who never made a sacrifice. This House should see that the taxpayers of the Republic should not for 50 years be burdened to pay large pensions to thousands of soldiers who, during their enlistment, did less work than ever before and drew higher pay than they ever drew before or may ever draw again. These private bills carry pensions for soldiers who can not meet the requirements of the Pension Office, who can not make a showing of any service to the country. The valiant Spanish-American War soldier does not subscribe to that. Pension schemers may form a vast organization and give it some patriotic name, and gather into it many patriotic men; but tied onto it will be all the bummers, all the beats, all the grafters, all the pillagers, all the swindlers, all those who desire to rob the Government by drawing pensions. The honest toilers who send us here will groan under the weight of taxation to pay them. You are to-day, by passing these special bills without orderly consideration, laying the foundation for a system of exploiting the Treasury of the 90,000,000 people of this country in the name of patriotism and in the name of rewarding the soldiers, which will result in those who rendered no service and made no sacrifice being placed upon the pension rolls, there to abide for threescore years and ten. There is no alternative to it. The question I present does not come within

the scope of the remarks of the gentleman from Illinois [Mr. MANN].

Nobody raises objection to pensioning the Spanish War soldier who returns minus an arm, or short a leg, or enfeebled from disease, or pallid and weak from any infirmity that may have assailed him. But when they came out strong, vigorous, youthful, robust after eight months or six months or four months of encampment in places provided by the Government, you are providing that the Treasury of the people of this country for the next half a century shall be the feed trough where they shall come and fatten upon the resources of the people and drink deeply of our revenues, because they do not go forth and do battle in the fields of industry and in the avenues of trade. I place it with you now, and you vote on it as you judge.

I now direct my remarks again to a subject in which we were interrupted just now. The old soldiers of the Federal Army and of the Spanish-American War Army are a part of the great Government, and they are entitled to just recognition by it. This should not be, and I presume is not, in any sense a political measure.

But if you are going to recognize them, as the gentleman from Illinois says, by letting the boy of America know that when he enlists in the Army his Government will protect him and reward him, we should be equally sure not to let the camp hanger, not to let the holiday hunter, the adventurer who is disposed to roam and exploit, find a lodgment for all his life on the pension roll.

What will be the result? The indifferent volunteer soldier of our country will have a pension for life. It will discount thrift; it will give assurance of the care of the Government to the improvident; it will not encourage them to hew the logs; it will not encourage them to stir the soil; it will not encourage them to save the pennies; but it will encourage the volunteer soldier to look to the Government to care for him. It will say to an American volunteer, "No matter how lazy or shiftless you are, your name once enrolled, the Government will provide for you." With this policy you will lay the foundation of firing the youth of the country with the ambition to go into the Army for ease and certainty of a purse.

This policy will destroy every vestige of patriotic ambition of thousands of youths in this country, who should feel that it is not for the reward of pensions that they enlist, but that it is for service under the flag to their country. But, under the gentleman's line of argument, boys would go to war because they will be pensioned all the rest of their lives. The motive ought to be that I will enlist because I am a citizen of the Republic; my country needs my services; I will volunteer; I will do battle; I will die because of patriotism and not for pension; for love of country, not avarice for the Treasury of the Government. Of such material only is bulidied an invincible army. Thus you build the soldiery for war, the citizen for peace; but in this great rush at the Treasury of the Nation, assuring every youth in the land that there is pension for him, you discount the real ambition that should swell the heart of youth and the animation that should impel the patriotic citizen to offer his life for his flag.

Our country has a sad illustration of the misguided teachings of proper relations of a people to the Government and society. Forty years ago, when the struggle was over, four millions of slaves were given their freedom and liberty. They have been taught nothing since as persistently as that all they have to do is to covet an office, read books, and become vagrants. And so it is 40 years after we have the African race more lawless, less thrifty, more degraded, and less reliable—more immoral on the average than they were the day the shackles were stricken from them. The average African will pilfer the henhouse and dodge the plow handle quicker to-day than he would 12 months after liberty was given him. To-day he will stand in the dark and assassinate you quicker than he would when the shackles were yet fresh from his hands. Why? Because this Government put false notions in his head, laid down unsound teachings for his guidance, and led them to labor under the misapprehension that they were on the way to equality with the Anglo-Saxon.

The great blunder of this Nation was not in liberating the negro. That question was settled. The greatest blunder in our country's history was that after we freed him we undertook by decree of law to make him the equal of the white man—an equality that the God of the universe had decreed 6,000 years ago he could not possess and never would.

Our Republic, in the frenzy of the hour, undertook to repeal the law of Jehovah, and thus to make the African the equal of the Caucasian. We have sought by law and by Constitution to give him a moral and social and intellectual and political

status for which he is not qualified now by nature and for want of created endowment never can be. It is not only dangerous to this country, but it is an injustice to the African race itself that the laws of our Government hold out to him aspirations that he can never attain, puts in his heart hopes he can never realize, instills in his mind ideas and standards that are beyond his reach. He can never rise to the same standard of the Caucasian until you go back beyond Sinai into the bowels of God's first creation and discover the molds out of which He fashioned him, and have Jehovah again take of the dust and fashion him a different order of man. He is inferior by creation. Inferior in intellect, inferior in characteristics, inferior in instincts, inferior in the original elements from which a strong and self-governing people must be evolved. It is no fault of ours, it is no fault of the African race. It is a fact of nature, insurmountable and irremediable.

No law of man, no statute of country, no edict of any republic will ever repeal the law of the Almighty Jehovah that decreed him an African and decreed us Caucasians. Law can not do that any more than it can change the leopard's spots. Being the stronger race, we owe it to the African to turn him from this false doctrine and place in his bosom hopes he can realize and aspirations he can attain. Turn them into the avenues for which the Creator ordained them. Give them every protection of the law, every safeguard of the statute, and vouchsafe to them the fullest sympathy and aid in their capable spheres. But when we undertake to change the law of creation and make them what the infinite Creator decreed they should not be, we undertake the impossible. It is beyond the power of constitutions and unattainable by arts of man. When you undertake to legislate morals into creatures that the great God failed to endow with those instincts capable of cultivation and development, you undertake the impossible. The African in this country is susceptible of filling his proper sphere, but that sphere is not in the Pension Office, it is not a Register of the Treasury, it is not as postmaster, it is not as political leader, it is not as a governing factor; but it is as that inferior creature that God made him. So long as our laws and our teachings hold out to him the hope of a status which he can never attain, he is doomed to disappointment and decay. You might just as well go out here to the Zoological Garden and from the cages take one of the brown monkeys and one of the black orang-utans and place them on the Speaker's stand there, and then pass a statute by this House, have it concurred in by the Senate, and signed by the President, hereafter decreeing the monkey and the orang-utan our equals in all respects, and expect it to be so, as to expect by law to establish the negro the equal of the Anglo-American.

The SPEAKER. The time of the gentleman from Georgia has expired. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### LEVEES ON MISSISSIPPI RIVER.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 23246) appropriating \$300,000 for the purpose of maintaining and protecting against the impending flood the levees on the Mississippi River and rivers tributary thereto, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the sum of \$300,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the purpose of maintaining and protecting against the impending flood the levees on the Mississippi River and rivers tributary thereto.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, so that there may be some explanation, I demand a second.

Mr. WICKLIFFE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Mississippi is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. MANN. Mr. Speaker, I will ask if this follows the lines of the message that just came in?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. That message referred to an appropriation for additional protection to the levees and also an appropriation for help or aid to those who are being injured there.

Mr. HUMPHREYS of Mississippi. The bill does not include that.

Mr. MANN. The message did.

Mr. HUMPHREYS of Mississippi. Oh, yes; the message did.

Mr. MANN. What does the gentleman's bill cover?

Mr. HUMPHREYS of Mississippi. The \$300,000 in this bill is simply for the purpose of protecting the levees against the impending flood.

Mr. WICKLIFFE. This is for protection and not for relief.

Mr. BARTLETT. It supplements the other bill?

Mr. HUMPHREYS of Mississippi. Yes; it is along the lines of the first bill, as subsequently amended by the resolution the House adopted on the 8th of this month.

Mr. FOWLER. Does it apply to the tributaries of the Mississippi?

Mr. HUMPHREYS of Mississippi. Yes; including the tributaries. It is exactly as the original bill would have read if the amendment which was adopted at the suggestion of the gentleman from Illinois [Mr. MANN] a few days afterwards had been incorporated in that original bill. In other words, it provides for the protection and the prevention from destruction of the levees of the Mississippi River and the tributaries thereof.

Mr. MANN. The original resolution provided for this aid for the levees between Cape Girardeau and the mouth of the Mississippi River, as I remember it.

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. I thought myself that it probably ought to have authorized aid to any levees above Cape Girardeau. I see that this does.

Mr. HUMPHREYS of Mississippi. Yes. Now, let me state the reasons for this legislation:

I have just returned from the Mississippi River, where I spent the past week or 10 days, and I am therefore able to speak with knowledge of the serious situation which confronts the people in the Deltas. We have appropriated very liberally in the past for the construction of levees along the lower river, and the people whose lands are thereby protected from floods have also contributed many millions of dollars for this same purpose. The ratio of the contribution has usually been about \$2 by the riparian owners to every \$1 appropriated by the Government. We had reached the conclusion, in view of the prior floods of the river, that our levees were about completed and that they were high enough to withstand any flood that would ever come. Heretofore the floods which have come down the Ohio River have always passed away before the flood waters from the Missouri and upper Mississippi reached the mouth of the Ohio at Cairo; but this year, for the first time so far as we are advised, the floods came out of these three great tributaries at the same time. The result of this unfortunate situation was that the river from Cairo down rose from 2 to 4 feet higher than ever before known. I walked along the top of the levees last week for a long distance, where thousands of men were engaged in piling sacks of dirt along the tops of the levees to keep back the flood. These levees were 2 feet higher than the highest water ever had gone before, and yet when I was there the water had reached the crest of the levee and was still rising. Gov. Brewer, of Mississippi, came in person and brought 600 convicts from the State penitentiary, and with the volunteers was working desperately to prevent the flood from overtopping the levee. The particular levee district whose levees I was inspecting has expended \$300,000, which had been raised by taxes and the sale of bonds, in fighting this flood, and has now, in fact, practically exhausted all its own resources. Since that time the levees have broken on the opposite side, in Arkansas and Louisiana, and thereby relieved the great strain to some extent along the Mississippi front, but the danger has by no means passed. The water will stand against these levees for the next 10 days, and as long as it does the possibility of disaster will be present, and eternal vigilance will be the price of safety.

We have this year the greatest flood we have ever had on that river in all of its history, so far as any record shows, and a few days ago Congress appropriated \$350,000 to aid the communities along the river in preventing the destruction of the levees that had been built by the Government and by the people along the banks of the river in cooperation with the Government. That money has been allotted now by the proper authority, and the engineers in the several districts have telegraphed to the Chief of Engineers that it is necessary to have more money. I would have the House to understand this: The people in these communities have expended for this particular purpose since this flood came a great deal more money than the Government has been asked to expend.

The Chief of Engineers gave it as his opinion in his statement before our committee to-day that the people themselves during the past three weeks have spent about \$2,000,000, which

was raised under the system of taxation that prevails along the lower regions of the river. There they raise money and authorize, in an emergency such as this, the sale of bonds, and they have expended perhaps \$2,000,000 in trying to save these levees since this flood came. The impression is very general and very natural, because the information that country gets of course is solely from the newspapers, that these levees have all been swept away and that the great valley has already been overflowed. That is not true. Not more than 15 or 20 per cent of the area which is protected by the levees has been submerged or will be submerged by the breaks which have already occurred, so that from 80 to 85 per cent of the protected areas in that valley are still being protected by the levees as they stand, and the Chief of Engineers and the Secretary of War and the President have requested Congress to supplement the \$350,000 heretofore authorized, because they believe that the situation is such that it will be necessary to spend this amount of money before the flood finally passes. Now, let me say this: Although the crest of the flood has passed below Memphis and is now possibly about Vicksburg, as a matter of fact, the river stands to-day on the gauge at Cairo higher than it has ever stood before since the Government has had any record of the river, and for at least two weeks or possibly three weeks—

Mr. WICKLIFFE. That is, higher than in any former year.

Mr. HUMPHREYS of Mississippi. Yes. It went higher this year, it went to 54 feet this year, the highest before was 52.2, and it is now above 53 feet, and is now higher than has ever been known before in the history of the river, so far as we have record of it prior to this year. It will take three weeks for that flood to pass down the river, and during those three weeks the levees will all be subjected to a tremendous strain and disaster will be impending along different reaches of the river until this flood does pass.

Mr. PROUTY. Mr. Speaker—

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from Iowa?

Mr. HUMPHREYS of Mississippi. I do.

Mr. PROUTY. I was not able to hear the bill read. I would like to inquire whether or not this covers any levees above Cape Girardeau?

Mr. HUMPHREYS of Mississippi. Yes; it covers any levees on the Mississippi River or its tributaries. Mr. Chairman, I reserve the balance of my time. I desire now to yield to Mr. WICKLIFFE, the author of the bill.

Mr. WICKLIFFE. Mr. Speaker, I do not desire to add anything, if the House is ready to vote at this time, and I hope they will vote at this time. I think the matter has been clearly presented by the gentleman from Mississippi, and I hope the House will promptly pass the bill.

Mr. FOWLER. I would like to ask the gentleman one question.

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. FOWLER. I want to know if you understand this appropriation to be an emergency appropriation to be used against the present flood or an appropriation to be used after the flood subsides to repair whatever damage may be done?

Mr. HUMPHREYS of Mississippi. Oh, no; it is to prevent disaster from the present flood. After the flood has passed away, I will say to the gentleman, Congress has already appropriated money that will be available for all repairs. That has already been appropriated, but it is not now available for this particular emergency.

Mr. FOWLER. What does the gentleman understand that appropriation to consist of for making these repairs?

Mr. HUMPHREYS of Mississippi. To build levees anew, if necessary.

Mr. FOWLER. That is not the \$350,000 emergency appropriation passed a few days ago?

Mr. HUMPHREYS of Mississippi. Oh, no; there are three and a half million dollars carried in the river and harbor appropriation bill, which become immediately available, I will say to the gentleman, unlike ordinary appropriations, which become available July 1. That appropriation will become available immediately upon being signed by the President.

Mr. MANN. Will the gentleman permit?

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. MANN. I suppose the gentleman refers to the item in the river and harbor appropriation bill?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. We have passed it.

Mr. HUMPHREYS of Mississippi. I said it passed the House.

Mr. MANN. I understood the gentleman to say it passed into a law.

Mr. HUMPHREYS of Mississippi. I said it would become immediately available as soon as the President affixed his signature.

Mr. GARRETT. As a matter of fact, the allotments made out of the \$350,000 appropriation which was passed a few days ago have been bearing about the same ratio to the local expenditures that the past expenditures on the levees have borne to the local expenditures. Is not that true?

Mr. HUMPHREYS of Mississippi. No; because the local expenditures on levees heretofore have been about \$2 to the Government's \$1. In this emergency the local contribution has been \$5 or \$6 to the Government's \$1.

Mr. GARRETT. But the ratio has been about the same?

Mr. HUMPHREYS of Mississippi. No; it is very much larger.

The SPEAKER. The question is, Shall the rules be suspended and the bill passed?

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### ORDER RELATIVE TO PRIVATE PENSION BILLS.

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

#### Order 35.

*Ordered*, That on the second and fourth Fridays of each month during the present session it shall be in order for the Speaker to entertain one or more motions to suspend the rules and pass private pension bills.

The SPEAKER. Is a second demanded?

Mr. GARRETT. Mr. Speaker, I demand a second.

Mr. RUSSELL. I ask unanimous consent that the second may be considered as ordered.

The SPEAKER. The gentleman from Missouri asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Missouri [Mr. RUSSELL] has 20 minutes and the gentleman from Tennessee [Mr. GARRETT] 20 minutes.

Mr. RUSSELL. Mr. Speaker, the purpose of this order simply is to enable this House to utilize the day fixed by the rules of the House for the passing of private pension bills. Under the rules of the House the second and fourth Fridays are the days especially set apart for the consideration of private pension bills. Our experience has shown to us on two or three occasions that we had great difficulty, if we could succeed at all, in passing pension bills on those days because of a filibuster that was conducted against them.

Mr. BARTLETT. Will the gentleman yield?

The SPEAKER. Does the gentleman from Missouri [Mr. RUSSELL] yield to the gentleman from Georgia [Mr. BARTLETT]?

Mr. RUSSELL. I yield.

Mr. BARTLETT. I want to ask the gentleman if his committee, or he, or any other Member of the House has introduced any resolution like this and had it referred to the Committee on Rules for their consideration?

Mr. RUSSELL. We have not.

Mr. BARTLETT. Does not the gentleman think that would be the more orderly way of changing the rules of the House on the subject of suspension day than by taking it up here without notice to the membership and change the rules in a radical way?

Mr. RUSSELL. This is not changing the rules, but these are the days which the rules now provide for the passing of pension bills, and this order provides that the suspension of the rules which is now permissible on the first and third Mondays may be permitted and in order on the second and fourth Fridays for the purpose of passing private pension bills.

Mr. BARTLETT. I desire to answer the gentleman by saying that the rules of the House prescribe the order of the business of the House. They prescribe what days shall be suspension days, naming the first and third Mondays of each month. This order, if it passes the House, changes the rules of the House, and makes two other suspension days during each month in addition to what we have. It is virtually a change of the rules of the House. I suggest to the gentleman that a resolution of this kind, if referred to the Committee on Rules, might be reported by that committee and be passed.

It occurs to me, Mr. Speaker, to say that this is about as radical a proposition as I have seen in all the 17 years of my service, 16 of which have been in a Republican House, most of the time presided over by former Speaker CANNON, and I have never heard come from him or his side during the years of his service a more radical proposition to change the rules without notice or without action by the Committee on Rules.

Mr. RUSSELL. That may be very true, but this is the day especially provided for suspending the rules.

Mr. BARTLETT. And the reason given always by those who advocated this kind of gag rule, when coming from the Committee on Rules in a Republican House, was that a majority had a right to do business. That was always the reason given for this sort of procedure—the same old song, now sung by unfamiliar voices. [Laughter.]

Mr. RUSSELL. Of course, I do not know what other individual Members of the House may think, but I think this House has a right to attend to its business. And it is evident from the experience we have had in this House that we can not attend to all the business on the calendar and intended to be done on pension Fridays, specially set apart under the rules for the consideration of pension bills. It is necessary to do something so that the will of this House may be expressed, and we think we are justified in asking that suspension days be extended to include pension Fridays, so that we may attend to the business of this House. This is a day set apart for the suspension of the rules, and as I understand, from the authorities of this House, we have the right to suspend the rules and to fix an order of this sort. I have offered this motion for the consideration of the House, and, of course, with the understanding that unless two-thirds of the Members present vote for it it can not be adopted. But it is done in the interest of the business of the House, and it seems to me that it is evident that unless this rule can be passed we will have great difficulty in passing our private pension bills.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. RUSSELL. I will yield to the gentleman from Illinois.

Mr. MANN. If this order should be agreed to, would it not then allow more time for the discussion of private pension bills than has ever been used while the gentleman has been a Member of the House, except upon one or two recent occasions?

Mr. RUSSELL. During my experience; yes. Since I have been in the House I have never seen any time consumed outside of the time required in reading the bills and the formal proceedings of passing them until the present session.

Mr. MANN. So that, as a matter of fact, while this rule may seem more drastic than such rules usually are, it allows more liberality than has usually been permitted in giving Members more time in discussing pension bills?

Mr. RUSSELL. Yes.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. RUSSELL. Yes; I yield.

Mr. BARTLETT. The gentleman does not mean to say that if this rule is changed to Friday instead of Monday for pension bills more pensions will be passed? Will they not be passed on Friday just as they are passed here?

Mr. MANN. Certainly.

Mr. BARTLETT. In other words, you will have just as much opportunity to discuss bills on Friday as now, and that is no opportunity at all.

Mr. MANN. So far as I recollect, the opportunity to amend pension bills usually means an additional amount taken out of the Treasury, and never the other way. As a matter of fact, this will allow more time than has yet been consumed in the practice of the House.

Mr. BARTLETT. Oh, I did not understand the gentleman. That is true.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] has used nine minutes.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. RUSSELL. Yes.

Mr. SHERLEY. I would like to ask the gentleman if it is his idea that under the rule more than one bill can be called up at a time?

Mr. RUSSELL. No; I do not think so. I understand the purpose to be to call up the bills one at a time. The Invalid Pension Committee of the House has one omnibus bill on the Private Calendar that we hoped to call up to-day, but it seems now we can not do it. There are eight omnibus pension bills pending in this House that have been passed by the Senate and are now on the calendar, so that there are nine omnibus pension bills now on our calendar, embracing over 1,200 individual pensions.

Mr. SHERLEY. The reason I asked the question was this: I have some doubt in my mind whether you could constitutionally pass those bills except by considering each one separately; but I had heard outside that it was the desire of some gentlemen to pass them in a lump; and I wanted to know if this rule, in the contemplation of those offering it, was intended to bring about that situation?

Mr. RUSSELL. No, sir. This rule is intended to obviate that necessity.

Mr. SHERLEY. There is no necessity of that kind. I do not think you can do it under this rule. But I just wanted to have the gentleman disclaim it.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Illinois.

Mr. MANN. I do not know whether I ought to say this, but I think it is perfectly proper. I was told to-day that it was the intention of some of the gentlemen on the Committee on Invalid Pensions to move to suspend the rules and pass a half dozen bills. I looked up the Constitution and the law, and I do not undertake to say whether they can do it or not. But I went to the gentleman from Missouri [Mr. RUSSELL] and told him that, in my judgment, such a proposition ought not to be submitted to the House; that I could not support it; and that I thought the proper way to reach this pension business would be to move to suspend the rules and pass an order something like the one that the gentleman has now proposed, because that gives some time for debate and does not put the House in the position where it would be compelled to pass upon the propriety of passing half a dozen bills under one motion, which I do not think should be done.

Mr. RUSSELL. I will say in answer to what the gentleman from Illinois [Mr. MANN] has said that there never was a fixed purpose on the part of the Committee on Invalid Pensions to pass the bills in that way. I will say that the advisability of it was being considered as one way in which we might be able to get the bills passed to-day; but the Pension Committee never did determine to pass them in that way. The matter was considered and discussed, and the gentleman from Illinois [Mr. MANN] and the leader upon the Democratic side of the House [Mr. UNDERWOOD] suggested that this would be a proper method of avoiding these difficulties, and would give us the day that the rules now give us, simply extending the right of suspending the rules to those days, the two Fridays in each month now set apart by the rules for considering private pension bills, so that we might get the bills through on those days.

Mr. GARRETT. If the gentleman will permit me, that being the view of the matter, why did not the gentleman introduce his resolution and let the Committee on Rules consider it? Why spring it here without the Committee on Rules ever having considered it?

Mr. RUSSELL. Just for the reason that, as I understand it, we could not pass this rule or make this order on any other day except on suspension day.

Mr. BARTLETT. We can if the Committee on Rules report it.

Mr. RUSSELL. I will simply say that I have offered it to-day because this is the day fixed for suspension of the rules, and I understood that we could pass it to-day under suspension of the rules, and it was suggested to me by both the majority and minority leaders of the House.

Mr. MURDOCK. Mr. Speaker, I heard this motion, but only heard it imperfectly. Does this motion contemplate a suspension of the rules by a majority vote?

Mr. RUSSELL. No; it contemplates that there may be a suspension of the rules, just as now, by a two-thirds vote.

Mr. MURDOCK. The gentleman will remember that in a former Congress we once before began the manipulation of the suspension of the rules, and the final result was that it took only a majority vote in lieu of a two-thirds vote.

Mr. RUSSELL. I do not understand that this will change the rule as to that. It will still require a two-thirds vote to suspend the rules and pass a bill. We are merely asking to be permitted to move to suspend the rules and pass pension bills on pension Fridays.

Mr. GARRETT. Mr. Speaker, I have never been illiberal in regard to pension matters since I have been a Member of this House. I could not see my way clear to vote for the so-called Sherwood bill, but I have never joined with those gentlemen who have obstreperously opposed these private pension bills on the floor of the House. But it does seem to me, Mr. Speaker, that this reaches what the Katzenjammers would call the end of the limit. To amend the rules of the House so as to make private bills of a higher privilege than they have ever possessed before, under any régime, 50 years after the war is over, putting them in a higher special class than that possessed by any public bill is, it seems to me, going too far.

In my seven years of service here I have never seen the time when private pension bills have suffered. This House has always found a way to pass every private pension bill that has been reported from the Committee on Invalid Pensions or the Committee on Pensions since I have been a Member of this House.

A few days ago, after the terrific filibustering fight made here by the gentleman from Georgia [Mr. RODDENBERRY], we found a way to pass the bills. We can do the same thing again. I do not believe it is wise to come here under a suspension of the rules, with about a third of the membership of the House present, and amend the rules of this House at this stage of the session, particularly when you are picking out private bills, to give them a privilege that no public bill can have.

How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has 15 minutes remaining.

Mr. GARRETT. I yield five minutes to the gentleman from Georgia [Mr. RODDENBERRY].

Mr. RODDENBERRY. Mr. Speaker, there is no justification for this proposed rule. Any man of common backwoods intelligence, like a country Congressman from the wire-grass section, knows that a legislative body must do business. Even a weak-minded Congressman, whose constituency by some oversight have permitted him to break into this great and august body, would recognize that no one Member and no handful of Members could perpetually delay legislation. But I trust that it is not within the power of such a handful of Members to be so potential that it is necessary for the overwhelming Democratic majority to resort to a rule so drastic in its character that it denies the right of amendment and denies the right of fair consideration. Prepare a rule that limits the debate on these private pension bills to an hour or to a reasonable time. Prepare a rule that limits the right of amendment within reason and within judgment, and let Members have the privilege of offering them and considering them, and then when that reasonable time is out vote the obstreperous Member and filibusterer down, if the House so wills, and go on.

But I challenge you to pass in this House the rule now proposed which denies absolutely the right of offering an amendment, the right of considering an amendment. If you think it will save any time you may find to the contrary. You could not have reached these bills to-day, even under the existing gag rule, if there had been a desire to filibuster. You can not adopt this un-Democratic rule without making the shades of CANNON and the shadows of DALZELL go into eclipse. [Laughter.] You can not by such procedure dispatch this business. I notify you now that if you pass a rule of this character, without being referred to the regularly selected committee and without being passed on by that committee of our Democratic colleagues constituted for the purpose, that you will have no less a hard time doing business. Whenever the Democratic Committee on Rules considers a rule and gives the right to be heard and offer an amendment—which your rule does not do—I yield to that judgment. Ignore that committee and without notice to the House pass this rule if you will, I prophesy you will save no time.

I have an amendment here now that I would like to offer, but realize that under the rules it can not be offered. No Member of the 394 public servants can send to the desk at this moment an amendment to your rule and get it considered, and yet you say we have reformed the rules and that Cannonism is overthrown. To perdition with it. [Laughter.]

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, I have always followed the Committees on Pensions and Invalid Pensions in their reports on private pension bills, because of the utter impossibility of examining the reports which they submit; and yet I should not wish to put myself in a position of asserting that these committees can never, either inadvertently or otherwise, make errors in including specific cases in such bills and providing additional pensions or special pensions to those seeking relief from the Government.

I recall that early in my service in the House the practice was to report bills separately for each applicant. At that time there was very considerable opposition to some of the bills, opposition to such an extent that it was necessary to abandon the Friday night sessions and to consider the bills on Fridays during the daytime.

The practice later was initiated of passing omnibus pension bills. My experience with these committees has been that it is necessary to have a meritorious case in order to obtain a favorable report. That has been my experience, both under the Democratic control of the House and under the Republican control of the House. Because some individual Members of the House, however, have had an opportunity and have given the time necessary to investigate the individual cases contained in these omnibus bills, and have expressed their opposition to certain of the cases on the floor, is not sufficient to justify me, although it may delay the passage of these bills somewhat, to deprive Members of the House of the opportunity to present

whatever material they may obtain in their investigation, and to ask the House to pass upon amendments which they desire to submit.

I am willing to follow the Committee on Pensions and the Committee on Invalid Pensions to all reasonable limits in the passage of omnibus pension bills, but I do not intend to be tied, like the victims of former days, to the chariot of these committees and dragged to the support of these bills regardless of their contents. I shall not vote at this time to support a rule of this character.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Does the gentleman think that the House ought to spend its time on two Fridays a month during the balance of this session considering pension bills, with no possibility of passing them?

Mr. FITZGERALD. I do not believe that they can not be passed and considered properly. I know of no reason why a very limited time should not be given to general debate and an opportunity given to those gentlemen who have time and do examine the bills to present whatever information they have and to offer whatever amendments they desire. Otherwise the House must assume that the Committees on Pensions and Invalid Pensions, both of the Senate and the House, will never present a case for consideration to this body that is not meritorious. I do not believe that we should be put in a position of being compelled to vote against granting special assistance to several hundred applicants because of some case that might not meet our approval or compelled to refuse to vote for pensions that are meritorious pensions in order to withhold one case that does not meet our judgment. At this stage of the session I do not see the necessity for such action as is proposed in the pending resolution, and I shall not support it. The House could meet at 10 o'clock each Friday morning, if necessary.

Mr. MANN. And sit until 10 o'clock at night, if two or three Members are opposed to the bill.

Mr. FITZGERALD. Oh, it could easily pass the bill.

Mr. FOSTER. Did we not spend a whole day and far into the night and yet not pass the bill until the Committee on Rules brought in a special rule?

Mr. FITZGERALD. Mr. Speaker, my sympathies are just as much with the men who will be the beneficiaries of this legislation as are the sympathies of any Member of the House, but I shall not put myself in the position of making it impossible for any Member of the House to point out cases that might not be justified and preventing the House to pass upon such cases. Those who justify such action may vote for this resolution. I shall not.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, until this session I never saw a private bill of any sort passed under suspension of the rules, and this is a new departure, not justified by an emergency now existing. One of the great conflicts in this country during the last election was over the protest made against the method by which the business of the House had been conducted under what was known as the Cannon rules, frequently called "gag rules." It was claimed that whenever the Republicans desired to do that which they wished to do they passed certain rules, denominated gag rules, and I doubt not that from 20 to 30 seats upon the Democratic side of the House are now being filled by Democrats because of the assault upon that kind of legislation in the House during the sessions in which the Republicans had the majority and when Speaker CANNON was in power. This resolution is but a repetition of the Cannon procedure. There are a great number of bills of public importance upon the calendar, which many think important and which this Congress should enact into law, or that the Representatives here should have an opportunity to consider and vote upon. In my opinion, there is something else for this Congress to do except to pass pension legislation and private pension bills. I have not during my service thought proper to oppose by a speech, but I have opposed by my vote many times, bills granting pensions when I did not think them meritorious. I voted against the Sulloway bill. I voted against the Sherwood bill. I think this pension legislation has gone far enough, and in many cases too far. Our Government is exceedingly liberal in granting pensions to its soldiers; more so than any other country in the world. I have always felt some delicacy in raising my voice against pension legislation, since I come from a section which at one time was engaged in war with those to whom the pensions are now being granted. I did not feel called upon to raise my voice against granting pensions in cases that appeared meritorious, but I shall not vote for a rule which pro-

poses to wrench from their moorings the staid rules of this House and place in a favorite position private pension bills of every character and give them precedence over legislation of every other kind.

Last Congress there were passed 9,640 private pension bills, and both Houses have passed a service-pension bill; still the calendar is crowded with other private bills. Yet because those in charge of pension bills have not been able to pass them with the celerity and rapidity they desire to do, because some Members of this Congress have seen fit to exercise their constitutional right to be heard in opposition to pension bills, it is now said, in order to crush out a few Members and keep them from being heard, from criticizing those bill and showing their want of merit, that the rules of the House, made after due consideration by a committee, and after being carefully adopted by the House in the beginning of this Congress, are to be changed all at once, without notice to the House, without submitting the matter to the committee of the House to which such matters are usually referred—and for what, Mr. Speaker? That they may have an opportunity further to swell the pension roll by special bills, and if there shall be cases not meritorious to be considered on Fridays in any of the omnibus bills no man shall have an opportunity to move to strike them out. The gentleman from Missouri [Mr. RUSSELL] and his associates have raised the pension flag and propose, with the aid of this resolution, to march on, over all opposition, and to trample beneath their feet the orderly, legitimate way of proceeding that the House has marked out by the establishment of rules for the government of the public business. I protest against such a new departure and such radical change of the rules.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. GARRETT. Mr. Speaker, does the gentleman from Missouri desire to consume some of his time now?

Mr. RUSSELL. No. We will have only one speech remaining.

Mr. GARRETT. Mr. Speaker, I repeat again what I said in the beginning, that personally I have never been illiberal toward pensions or special pension bills.

But I have not during my service here at any time seen the occasion arise for putting into the general rules of the House, nor have I ever seen the effort made before to put into the general rules of the House, a proposition to pass an omnibus pension bill under suspension. This proposition, Mr. Speaker, has not been introduced into the basket and considered by the committee charged with the consideration of such matters in this House. No reasons have been assigned for it before that committee, because it has not been before the committee. No reasons have been assigned for it here on the floor, because there is no reason to justify such an amendment to the general rules of this House at this stage of the session.

The SPEAKER. The question is upon suspending the rules and adopting this order.

Mr. RUSSELL. Mr. Speaker, I yield the balance of my time to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, this order does not change the rules of the House. It is not an unusual thing in the procedure of this House to pass an order regulating the business of the House under suspension of the rules. It has been done repeatedly before. Now the question of how these bills shall be passed, as to whether they should be taken up in the regular way or whether they should be passed under suspension of the rules, is not a matter that is involved here. These bills could be passed, if the chairmen of the committees or those having them in charge desired to do so, and they had time to do so, in the regular way on Friday. It is in order for any man in this House, or the chairman of any committee, to move to suspend the rules and pass any proposition in this House on suspension Mondays, provided he is recognized for that purpose. Now, all that is done by this order is this: The chairmen of the Pensions Committees have obtained recognition on suspension Mondays to pass pension bills to the exclusion of practically every other business that comes before this House. The pressure of great public business—appropriations bills, revenue bills, and other general legislation—is such that there are very few days left for the disposition of the private business of the House. It is practically limited to suspension days, on which unanimous consent may be had, and to Calendar Wednesdays. Well, we all know that there will be very few bills passed between now and the close of the session on Calendar Wednesdays, because the chairmen of committees bring up their most important bills on Calendar Wednesday that bring on debate, and one committee will consume two days, or the Calendar Wednesdays of two weeks. The result is that in order that the Members of this House may have an opportunity to pass practically uncon-

tested bills they must have the right to get recognition on Mondays to suspend the rules. Now, there is nothing revolutionary or radical or reactionary in suspending the rules. It has come down since the first Congress. There has never been any criticism about passing a bill under suspension of the rules; and why? Because it takes a two-thirds vote of the membership of this House to pass any resolution or bill on a motion to suspend the rules, and it has always been assumed by the membership of this House and the country at large that if a bill required amendment in important particulars, if it did not have a conclusive majority of the House as it was written and presented, that you could not command to its support a two-thirds vote in the House. Now, the only proposition here is—

The SPEAKER. The time of the gentleman has expired; all time has expired. The question is, Shall the rules be suspended and the order adopted?

The question was taken.

The SPEAKER. In the judgment of the Chair—

Mr. GARRETT and Mr. RODDENBERY. Division, Mr. Speaker.

The House divided; and there were—ayes 77, noes 23.

Mr. HENRY of Texas. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifteen gentlemen are present, not a quorum. The Doorkeeper will close the doors—

Mr. HENRY of Texas. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas moves that the House do now adjourn.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. HENRY of Texas. Division, Mr. Speaker.

The House divided; and there were—ayes 29, noes 79.

So the House refused to adjourn.

Mr. HENRY of Texas. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Seventeen gentlemen have arisen, not a sufficient number. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the roll will be called on the motion to suspend the rules and adopt this order.

The question was taken; and there were—yeas 151, nays 57, answered "present" 7, not voting 176, as follows:

YEAS—151.

Adair	Difenderfer	Langley	Raker
Alken, S. C.	Dixon, Ind.	Lawrence	Rauch
Akin, N. Y.	Dodds	Lenroot	Rees
Alexander	Doremus	Lewis	Rellly
Allen	Draper	Lindbergh	Richardson
Ames	Driscoll, M. E.	Lloyd	Rubey
Anderson, Minn.	Dyer	Lobeck	Rucker, Mo.
Anderson, Ohio	Esch	Longworth	Russell
Ashbrook	Estepinal	McGillivuddy	Shackelford
Austin	Farr	McKinley	Sharp
Barnhart	Foster	McKinney	Sherwood
Bathrick	Fowler	McLaughlin	Sloan
Boehne	Francis	Maguire, Nebr.	Smith, J. M. C.
Booher	French	Maher	Smith, Saml. W.
Bowman	Gardner, Mass.	Malby	Smith, N. Y.
Brown	Gardner, N. J.	Mann	Speer
Browning	George	Martin, Colo.	Stephens, Cal.
Buchanan	Goeke	Martin, S. Dak.	Stephens, Nebr.
Bulkeley	Good	Moon, Tenn.	Stone
Burgess	Graham	Morgan	Sulloway
Burke, S. Dak.	Gray	Morrison	Sulzer
Burke, Wis.	Greene, Mass.	Murdock	Sweet
Burnett	Gregg, Pa.	Murray	Switzer
Butler	Hamilton, Mich.	Needham	Taggart
Cannon	Hammond	Neeley	Taylor, Colo.
Cantrill	Hangen	Norris	Towner
Catlin	Hawley	Nye	Underhill
Claypool	Helgesen	O'Shaunessy	Underwood
Cooper	Howland	Padgett	Volstead
Cullop	Humphrey, Wash.	Payne	Warburton
Currier	Humphreys, Miss.	Pepper	Wedemeyer
Curry	Kendall	Peters	Whitacre
Danforth	Knowland	Pickett	White
Daugherty	Konop	Plumley	Wilder
Davenport	Kopp	Porter	Willis
Davis, Minn.	Korbly	Post	Young, Kans.
Denver	Lafferty	Pray	Young, Mich.
Dickinson	La Follette	Prouty	

NAYS—57.

Bartlett	Fergusson	Hughes, N. J.	Slayden
Beall, Tex.	Finley	Hull	Smith, Tex.
Bell, Ga.	Fitzgerald	Johnson, S. C.	Sedman
Borland	Garner	Jones	Stephens, Miss.
Burleson	Garrett	Kitchin	Stephens, Tex.
Byrnes, S. C.	Godwin, N. C.	Linthicum	Tribble
Candler	Godwin, Ark.	McCoy	Turnbull
Carlin	Gregg, Tex.	Macon	Tuttle
Clayton	Hardy	Oldfield	Watkins
Collier	Harrison, Miss.	Redfield	Watkliffe
Dies	Hay	Roddenbery	Witherspoon
Dupré	Helm	Saunders	Young, Tex.
Edwards	Henry, Tex.	Sherley	
Evans	Holland	Sims	
Faison	Hughes, Ga.	Sisson	

ANSWERED "PRESENT"—7.

Andrus	Fuller	James	Talbot, Md.
Byrns, Tenn.	Glass	McMorran	

NOT VOTING—176.

Adamson	Fields	Kindred	Pujo
Ainey	Flood, Va.	Kinkaid, Nebr.	Rainey
Ansberry	Floyd, Ark.	Kinkaid, N. J.	Randell, Tex.
Anthony	Focht	Konig	Ransdell, La.
Ayres	Fordney	Lafean	Reyburn
Barchfeld	Fornes	Lamb	Riordan
Bartholdt	Foss	Langham	Roberts, Mass.
Bates	Gallagher	Lee, Ga.	Roberts, Nev.
Berger	Gillett	Lee, Pa.	Robinson
Blackmon	Goldfogle	Legare	Rodenberg
Bradley	Gould	Lever	Rothermel
Brantley	Green, Iowa	Levy	Rouse
Broussard	Griest	Lindsay	Rucker, Colo.
Burke, Pa.	Gudger	Littlepage	Sabath
Calder	Guernsey	Littleton	Scully
Callaway	Hamill	Loud	Sells
Campbell	Hamilton, W. Va.	McCall	Sheppard
Carter	Hamlin	McCreary	Simmons
Cary	Hanna	McDermott	Slemp
Clark, Fla.	Hardwick	McGuire, Okla.	Small
Cline	Harris	McHenry	Smith, Cal.
Connell	Harrison, N. Y.	McKellar	Sparkman
Conry	Hartman	McKenzie	Sparkman
Copley	Hayden	Madden	Stanley
Covington	Hayes	Matthews	Steenerson
Cox, Ind.	Heald	Mays	Sterling
Cox, Ohio	Heflin	Miller	Stevens, Minn.
Crago	Henry, Conn.	Mondell	Talcott, N. Y.
Cravens	Hensley	Moon, Pa.	Taylor, Ala.
Crumpacker	Higgins	Moore, Pa.	Taylor, Ohio
Curley	Hill	Moore, Tex.	Thayer
Dalzell	Hinds	Morse, Wis.	Thistlewood
Davidson	Hobson	Moss, Ind.	Thomas
Davis, W. Va.	Houston	Mott	Tilson
De Forest	Howard	Nelson	Townsend
Dent	Howell	Olmsted	Utter
Dickson, Miss.	Hubbard	Page	Vreeland
Donohoe	Hughes, W. Va.	Palmer	Webb
Doughton	Jackson	Parran	Weeks
Driscoll, D. A.	Jacoway	Patten, N. Y.	Wilson, Ill.
Dwight	Johnson, Ky.	Patton, Pa.	Wilson, N. Y.
Elberse	Kahn	Pou	Wilson, Pa.
Fairchild	Kennedy	Powers	Wood, N. J.
Ferris	Kent	Prince	Woods, Iowa

So (two-thirds having voted in favor thereof) the rules were suspended, and the order was adopted.

The Clerk announced the following pairs:

Until further notice:

- Mr. ANSBERRY with Mr. AINEY.
- Mr. AYRES with Mr. ANTHONY.
- Mr. BLACKMON with Mr. BARCHFELD.
- Mr. CALLAWAY with Mr. BATES.
- Mr. BRANTLEY with Mr. BARTHOLDT.
- Mr. CLINE with Mr. CALDER.
- Mr. CARTER with Mr. BURKE of Pennsylvania.
- Mr. COVINGTON with Mr. HILL.
- Mr. COX of Ohio with Mr. CARY.
- Mr. CRAVENS with Mr. COPLEY.
- Mr. CURLEY with Mr. CRUMPACKER.
- Mr. DAVIS of West Virginia with Mr. DALZELL.
- Mr. DENT with Mr. FOCHT.
- Mr. DICKSON of Mississippi with Mr. GILLETT.
- Mr. DONOHUE with Mr. FORDNEY.
- Mr. DANIEL A. DRISCOLL with Mr. GREEN of Iowa.
- Mr. ELLERSE with Mr. GUERNSEY.
- Mr. FLOOD of Virginia with Mr. HARRIS.
- Mr. FLOYD of Arkansas with Mr. HAYES.
- Mr. GOLDFOGLE with Mr. HEALD.
- Mr. HAMLIN with Mr. HENRY of Connecticut.
- Mr. HARDWICK with Mr. CAMPBELL.
- Mr. SABATH with Mr. WOOD of New Jersey.
- Mr. STANLEY with Mr. HOWELL.
- Mr. TALCOTT of New York with Mr. HUBBARD.
- Mr. THOMAS with Mr. HUGHES of West Virginia.
- Mr. HARRISON of New York with Mr. JACKSON.
- Mr. HAYDEN with Mr. KAHN.
- Mr. HEFLIN with Mr. KENT.
- Mr. JOHNSON of Kentucky with Mr. KINKAID of Nebraska.
- Mr. KINDRED with Mr. MCCREARY.
- Mr. KINKHEAD of New Jersey with Mr. MCGUIRE of Oklahoma.
- Mr. KONIG with Mr. MCKENZIE.
- Mr. LAMB with Mr. MILLER.
- Mr. LEE of Georgia with Mr. MONDELL.
- Mr. LEE of Pennsylvania with Mr. MOORE of Pennsylvania.
- Mr. LEGARE with Mr. MOTT.
- Mr. LEVY with Mr. NELSON.
- Mr. LEVER with Mr. OLNSTED.
- Mr. MCKELLAR with Mr. PATTON of Pennsylvania.
- Mr. PAGE with Mr. PRINCE.
- Mr. PALMER with Mr. ROBERTS of Massachusetts.
- Mr. PATTEN of New York with Mr. POWERS.
- Mr. POU with Mr. ROBERTS of Nevada.

Mr. RANDELL of Texas with Mr. SELLS.  
 Mr. ROTHERMEL with Mr. SMITH of California.  
 Mr. ROUSE with Mr. STEENERSON.  
 Mr. RUCKER of Colorado with Mr. STERLING.  
 Mr. WEBB with Mr. TAYLOR of Ohio.  
 Mr. WILSON of New York with Mr. VREELAND.  
 Mr. McHENRY with Mr. WEEKS.  
 Mr. WILSON of Pennsylvania with Mr. WILSON of Illinois.  
 Mr. DOUGHTON with Mr. WOODS of Iowa.  
 Mr. GUDGER with Mr. SIMMONS.  
 Mr. HOWARD with Mr. LAFEAN.  
 Mr. MOSS of Indiana with Mr. UTTER.  
 Mr. HOUSTON with Mr. MOON of Pennsylvania.  
 Mr. GALLAGHER with Mr. FULLER.  
 Mr. MAYS with Mr. THISTLEWOOD.  
 Mr. CLARK of Florida with Mr. LANGHAM.  
 Mr. TAYLOR of Alabama with Mr. RODENBERG.  
 Mr. HOBSON with Mr. FAIRCHILD.  
 Mr. BYRNS of Tennessee with Mr. TILSON.  
 Mr. McDERMOTT with Mr. FOSS.  
 Mr. LITTLEPAGE with Mr. HARTMAN.  
 Mr. LITTLETON with Mr. DWIGHT.  
 Mr. CONNELL with Mr. KENNEDY.  
 Mr. THAYER with Mr. GRIEST.  
 Mr. FIELDS with Mr. CRAIG.  
 Mr. HINDS with Mr. GOULD.  
 Mr. RAINEY with Mr. MADDEN.  
 Mr. COX of Indiana with Mr. REYBURN.  
 Mr. TALBOTT of Maryland with Mr. PARRAN.  
 Mr. SPARKMAN with Mr. DAVIDSON.  
 Mr. PUJO with Mr. McMORRAN.

For the session:

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. GLASS with Mr. SLEMP.

Mr. FORNES with Mr. BRADLEY.

Mr. RIORDAN with Mr. ANDRUS.

Until April 16:

Mr. JAMES with Mr. McCALL.

Until April 21:

Mr. HAMILTON of West Virginia with Mr. DE FOREST.

Until May 4:

Mr. HENSLEY with Mr. HANNA.

Mr. TALBOTT of Maryland. Mr. Speaker, how am I re-

corded?

The SPEAKER. In the affirmative.

Mr. TALBOTT of Maryland. I am paired with the gentleman from Maryland, Mr. PARRAN, and I wish to withdraw my vote and vote "Present."

The SPEAKER. On this vote the yeas are 151, nays 57, present 7. Two-thirds having voted in the affirmative, the rules are suspended and the order is adopted. A quorum being present, the Doorkeeper will open the doors, and further proceedings under the call will be dispensed with.

#### ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned until Tuesday, April 16, 1912, at 12 o'clock m.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, calling attention to H. R. 16820, relating to the subject of furnishing information from official records for the use of the Court of Claims and the Department of Justice and recommending that section 4 of the bill be stricken out (H. Doc. No. 687), was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. AUSTIN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21481) providing for the sale of the old marine-hospital site at Ocracoke, N. C., reported the same with amendment, accompanied by a report (No. 550), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 21712) to amend section 808 of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by

a report (No. 552), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 21714) to amend section 851b of Chapter XIX of Subchapter II of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by a report (No. 553), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 21710) to amend section 842 of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by a report (No. 554), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 21709) to amend section 851a of Chapter XIX of Subchapter II of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by a report (No. 555), which said bill and report were referred to the House Calendar.

Mr. GARNER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 255) directing the Secretary of State to investigate claims of American citizens growing out of the late insurrection in Mexico, determine the amounts due, if any, and press them for payment, reported the same without amendment, accompanied by a report (No. 556), which said bill and report were referred to the House Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 8615) to require the Chesapeake & Ohio Canal Co. to build and maintain bridges, etc., over the Chesapeake and Ohio Canal, reported the same with amendment, accompanied by a report (No. 557), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 22010) to amend the license law, approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire, reported the same with amendment, accompanied by a report (No. 558), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RICHARDSON, from the Committee on Pensions, to which was referred the bill (S. 5194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 551), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOON of Tennessee: A bill (H. R. 23345) to fix the true boundaries of the Crest Road on Mission or Missionary Ridge, in Hamilton County, Tenn.; to the Committee on Military Affairs.

By Mr. KONIG: A bill (H. R. 23346) appropriating a certain sum of money to make practical tests of the Pioneer safety device; to the Committee on Naval Affairs.

By Mr. FERGUSSON: A bill (H. R. 23347) granting public lands to the State of New Mexico for the construction and maintenance of public roads and bridges in the State of New Mexico; to the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 23348) to amend section 4886 of the Revised Statutes, relating to patents; to the Committee on Patents.

By Mr. HENRY of Texas: A bill (H. R. 23349) providing for publicity of contributions and expenditures for the purpose of influencing or securing the nomination of candidates for the offices of President and Vice President of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. CURRY: A bill (H. R. 23350) granting public lands to the State of New Mexico for the construction of public roads and bridges; to the Committee on the Public Lands.

By Mr. TAYLOR of Colorado: A bill (H. R. 23351) to amend an act entitled "An act to provide for an enlarged homestead"; to the Committee on the Public Lands.

By Mr. PETERS: A bill (H. R. 23352) regulating the manner of appointing collectors of internal revenue and other officials; to the Committee on Ways and Means.

By Mr. SAUNDERS: Resolution (H. Res. 494) providing for consideration of an amendment to the Post Office appropriation bill; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 23353) granting a pension to Sarah H. Deyo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23354) granting an increase of pension to John Hartshuh; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 23355) granting a pension to Edwin V. Butler; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 23356) granting an increase of pension to John A. Mow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23357) granting an increase of pension to Theodore Eberly; to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 23358) for the relief of Eulalie Shores; to the Committee on War Claims.

By Mr. BROWN: A bill (H. R. 23359) for the relief of the heirs of Abraham Parsons, deceased; to the Committee on War Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 23360) granting a pension to Henry Sparman; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 23361) granting an increase of pension to William W. Potter; to the Committee on Invalid Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 23362) granting a pension to Walter Zogg; to the Committee on Pensions.

By Mr. DICKINSON: A bill (H. R. 23363) for the relief of Benjamin F. Follin; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 23364) for the relief of the heirs of Mary E. Neale; to the Committee on the District of Columbia.

By Mr. EDWARDS: A bill (H. R. 23365) for the relief of Levy E. Byck; to the Committee on War Claims.

By Mr. FARR: A bill (H. R. 23366) granting an increase of pension to Orlando Utter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23367) granting an increase of pension to Amos Smith; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 23368) granting a pension to Nancy E. Shelton; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 23369) granting an increase of pension to George W. Murray; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 23370) granting an increase of pension to Thomas A. Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23371) granting an increase of pension to John A. Hartshorn; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 23372) granting a pension to Frederick Loose; to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 23373) to patent certain semi-arid lands to Luther Burbank; to the Committee on the Public Lands.

By Mr. JOHNSON of Kentucky: A bill (H. R. 23374) for the relief of Emma P. Barbour; to the Committee on War Claims.

Also, a bill (H. R. 23375) for the relief of Henry C. Adams and others; to the Committee on War Claims.

By Mr. KONIG: A bill (H. R. 23376) granting a pension to Margaret Parrott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23377) granting a pension to Daniel McFaul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23378) granting a pension to Albert Culotta; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23379) granting a pension to Joseph P. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23380) granting a pension to Edna V. Scates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23381) granting a pension to Eliza Degenhard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23382) granting a pension to Annie Josephine Walsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23383) granting a pension to Charles B. Scholz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23384) granting a pension to John J. French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23385) granting a pension to Frank B. Shaffar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23386) granting an increase of pension to James Boyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23387) granting an increase of pension to Sybilie Grossart; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 23388) granting an increase of pension to Augustine Babcock; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 23389) granting an increase of pension to Sarah Wolford; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 23390) for the relief of Gibbes Lykes; to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 23391) granting an increase of pension to Abijah H. Harris; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 23392) authorizing the Secretary of War to grant to S. W. Divine, of Chattanooga, Tenn., right of way for the construction of an electric railway through Chickamauga and Chattanooga National Military Park; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 23393) granting an increase of pension to Margaret Smith; to the Committee on Invalid Pensions.

By Mr. PEPPER: A bill (H. R. 23394) for the relief of D. M. Rowland; to the Committee on Claims.

By Mr. POU: A bill (H. R. 23395) to pay certain employees of the Government for injuries received while in discharge of their duties as employees of the Isthmian Canal Commission; to the Committee on Claims.

By Mr. POWERS: A bill (H. R. 23396) for the relief of T. Z. Shelton; to the Committee on War Claims.

Also, a bill (H. R. 23397) for the relief of Mrs. A. M. Phelps; to the Committee on War Claims.

Also, a bill (H. R. 23398) for the relief of G. B. Turner; to the Committee on War Claims.

Also, a bill (H. R. 23399) granting an increase of pension to Paul Sargent; to the Committee on Pensions.

By Mr. PROUTY: A bill (H. R. 23400) granting a pension to William Lever; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23401) granting a pension to Isaac Williams; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 23402) granting a pension to Mary Sorter; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 23403) granting an increase of pension to Richard Rush Schick; to the Committee on Invalid Pensions.

By Mr. SMITH of California: A bill (H. R. 23404) granting an increase of pension to John W. Foot; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 23405) granting an increase of pension to Charles M. Hart; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 23406) granting an increase of pension to J. E. Murdock; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the New York Board of Trade and Transportation, for increased compensation for commissioned medical officers of the Public Health and Marine-Hospital Service of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Minnesota: Petition of Henry Kitzman and four others, of Hammond, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of B. A. White and seven other citizens of Newark, Ohio, against the enactment of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. AYRES: Memorial of the American Cotton Manufacturers' Association, protesting against legislation prohibiting dealing in futures; to the Committee on Agriculture.

By Mr. BARNHART: Petition of citizens of New Paris, Ind., against the Lever oleomargarine bill and in favor of the Haugen bill; to the Committee on Agriculture.

By Mr. BURKE of Wisconsin: Petitions of Stevens Point Mannerchor, of Stevens Point, Wis., against the passage of all prohibition or interstate-commerce liquor measures now pending; to the Committee on the Judiciary.

Also, memorial of the German-American Alliance Society of Antigo, Wis., against the passage of all prohibition or interstate-commerce liquor measures now pending; to the Committee on the Judiciary.

By Mr. DAVIS of West Virginia: Petition of the employees of Whittaker Glessner Co., Wheeling, W. Va., against the Under-

wood bill, revising the iron and metal schedule; to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Memorial of Buffalo Lodge, No. 1, Shipmasters' Association, protesting against increasing the flow of water from Lake Michigan down through the Chicago River; to the Committee on Rivers and Harbors.

Also, memorial of the Polish Unity Paper, Polish or Amerycan, and Branch No. 242, Polish National Alliance Society, and Polish Falcon Gymnastic Society, Branch No. 255, and Kolko Polk Charity Society, all of Buffalo, N. Y., against passage of bill for educational test; to the Committee on Immigration and Naturalization.

Also, memorial of the Buffalo (N. Y.) Chamber of Commerce, relative to improvement of the port of Buffalo, N. Y.; to the Committee on Rivers and Harbors.

By Mr. DYER: Petition of the St. Louis Branch, National Metal Trades Association, and Merchants' Exchange of St. Louis, Mo., for passage of Senate bill 3; to the Committee on Agriculture.

Also, papers to accompany House bill 4827; to the Committee on Military Affairs.

Also, petition of F. B. Mumford, dean of the College of Agriculture, University of Missouri, for enactment of House bill 22871; to the Committee on Agriculture.

Also, memorial of the St. Louis Railway Club, indorsing House bill 16450; to the Committee on the Judiciary.

Also, memorials of the Postal Record of Washington, D. C., and Railway Mail Association, indorsing certain sections of the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of the National Civic League, for enactment of Senate bill 5382, providing for a workmen's compensation law; to the Committee on the Judiciary.

Also, petition of the Order of Knights of Labor, for a retirement law for policemen and firemen in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Camp Lorence B. De Witt, Army of the Philippines, protesting against reduction in the Cavalry arm of the Army; to the Committee on Military Affairs.

By Mr. FORNES: Petition of the American Cotton Manufacturers' Association, relative to the sale and purchase of cotton to be delivered on contract on the cotton exchanges; to the Committee on Agriculture.

Also, memorial of the New York State delegation to the National Rivers and Harbors Congress, relative to development of waterways in the State of New York; to the Committee on Rivers and Harbors.

Also, memorial of Calvin Tompkins, commissioner of docks of New York City, relative to cooperation of the National Government with the city of New York in dredging Jamaica Bay; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of H. Mueller Manufacturing Co., of Decatur, Ill., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of George Christianson and others, of Rockford, Ill., in favor of the construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Cleveland Chamber of Commerce, of Cleveland, Ohio, concerning proposed legislation affecting business combinations, etc.; to the Committee on the Judiciary.

By Mr. GUERNSEY: Petition of citizens of the State of Maine, favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KAHN: Petition of the Edison Moving Picture Co., San Francisco, Cal., favoring House bill 20595; to the Committee on Patents.

Also, petition of the Norton Teller Co., West Creameries Co., and Kinsman & Miller, all of San Francisco, Cal., favoring House bill 21225, to make oleomargarine and butter of different colors; to the Committee on Agriculture.

Also, petition of the Silver Palace Theater, San Francisco, Cal., favoring House bill 20595, to amend section 25 of the copyright act of 1909; to the Committee on Patents.

Also, petition of the Brotherhood of Railroad Trainmen, Lodge No. 198, San Francisco, Cal., favoring House bill 20487, known as the Federal accident-compensation act; to the Committee on the Judiciary.

Also, petition of the Bank of California, San Francisco, Cal., favoring Senate bill 5735, a bill to enable the President to propose and invite foreign governments to participate in an international conference to promote an international inquiry into the causes of the high cost of living throughout the world; to the Committee on Foreign Affairs.

By Mr. LA FOLLETTE. Petition of citizens of Synarep, Wash., urging an investigation of the indictments of the Appeal to Reason editors; to the Committee on Rules.

Also, petition of members of Noble Grange, No. 494, Penrith, Wash., urging adequate parcel post and opposing any change in present oleomargarine law; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Clarkston, Wash., urging an investigation of the indictment of the Appeal to Reason editors; to the Committee on Rules.

Also, petition of citizens of Synarep, Wash., urging the passage of a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, petition of merchants of Garfield and Palouse, Wash., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of members of the Improved Order of Red Men, Spokane, Wash., urging the erection of an American Indian memorial and museum building in Washington City; to the Committee on Public Buildings and Grounds.

By Mr. LLOYD: Petition of the Woman's Christian Temperance Union of Gibbs, Mo., favoring the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Missouri, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petitions of citizens of Deadwood, S. Dak., the State of Texas, and Augusta Council, United Commercial Travelers, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCCOY: Petition of the Woman's Christian Temperance Union of Lambertville, N. J., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MCGILLICUDDY: Petition of citizens of Waldoboro, Me., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MARTIN of South Dakota: Petition of the farmers of the Northwest, urging repeal of reciprocity before Canada puts it into effect; to the Committee on Ways and Means.

By Mr. MOON of Tennessee: Memorial of the Mission Ridge Business League, relative to building a certain roadway in the State of Tennessee; to the Committee on Military Affairs.

Also, papers to accompany bill to authorize S. W. Divine and associates to construct an electric railway through Chickamauga and Chattanooga National Military Park, at Chattanooga, Tenn.; to the Committee on Military Affairs.

By Mr. NEEDHAM: Memorial of the San Diego (Cal.) Chamber of Commerce, for enactment of House bill 20044, for improvement of the foreign service; to the Committee on Foreign Affairs.

Also, memorial of the San Diego (Cal.) Chamber of Commerce, protesting against placing sugar on the free list; to the Committee on Ways and Means.

Also, petition of S. Glen Andrus and others, of Sacramento, Cal., for an appropriation to fight the Mediterranean fly; to the Committee on Agriculture.

Also, memorial of the Native Daughters of the Golden West, urging that the United States Government acquire the Calaveras or Mammoth Grove of Big Trees; to the Committee on the Public Lands.

Also, petition of the American Cotton Manufacturers' Association, relative to the sale and purchase of cotton to be delivered on contract on the cotton exchanges; to the Committee on Agriculture.

Also, memorial of the council of the city of Berkeley, Cal., for coinage of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, petitions of residents of Del Rey, Fowler, and Selma, Cal., for enactment of House bill 14, providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of residents of Tracy, Cal., for construction of battleships in Government navy yards; to the Committee on Naval Affairs.

By Mr. NYE: Petition of citizens of Minneapolis, Minn., favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. REDFIELD: Memorial of New York Board of Trade and Transportation, for increased compensation for commissioned medical officers of the Public Health and Marine-Hospital Service of the United States; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chamber of Commerce, State of New York, favoring a change in the navigation laws of the United States that will permit its citizens to purchase tonnage in the cheapest market, own it in their own names, sail it under the flag of the United States, and operate it on a competitive basis.

of cost with the tonnage of other nations; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Chamber of Commerce of the State of New York, believing that the Panama Canal when completed should be open to all tonnage, irrespective of ownership, protests against any legislation which departs in any degree from that broad and equitable policy; to the Committee on Interstate and Foreign Commerce.

By Mr. RUCKER of Colorado: Petition of M. F. Weyerts and others, of Amherst; of Dick Rohwer and others, of Dover; of W. H. Perry and others, of Haxton; and of J. W. Tunnell, of Castle Rock, Colo., favoring the Haugen bill (H. R. 21225) and opposing House bill 18493; to the Committee on Agriculture.

By Mr. SISSON: Petition of citizens of Belzoni, Miss., for changing the place of holding Federal court for the northern district of Mississippi from Oxford to Grenada; to the Committee on the Judiciary.

By Mr. SMITH of New York: Petition of Chaffee (N. Y.) Grange, No. 987, against passage of any bill favorable to the sale of oleomargarine in competition with butter; to the Committee on Agriculture.

Also, petition of Buffalo Lodge, No. 1, Shipmasters' Association, protesting against increasing the flow of water from Lake Michigan down through the Chicago River; to the Committee on Rivers and Harbors.

By Mr. SULZER: Petition of residents of the State of Washington, for enactment of House bill 14, providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the Committee on Industrial Relations, for appointment of a Federal commission on industrial relations; to the Committee on Rules.

Also, memorial of the Postal Record, of Washington, D. C., indorsing section 5 of the Post Office appropriation bill, to limit the hours of labor of letter carriers and post-office clerks to eight hours each day; to the Committee on the Post Office and Post Roads.

By Mr. TALBOTT of Maryland: Petition of citizens of Carroll County, Md., asking that the memorial to President Lincoln be a highway between Washington, D. C., and Gettysburg, Pa.; to the Committee on the Library.

By Mr. TILSON: Memorial of Emerson W. Liscum Camp, No. 12, Department of Connecticut, United Spanish War Veterans, favoring passage of House bill 17470, providing for the widows and orphans of veterans of the Spanish War; to the Committee on Pensions.

By Mr. UNDERHILL: Petition of the American Cotton Manufacturers' Association, relative to the sale and purchase of cotton to be delivered on contract on the cotton exchanges; to the Committee on Agriculture.

Also, petition of citizens of Canister, and of the Canister Prohibition League of Canister, and of the Steuben County Prohibition Committee, of Canister, State of New York, favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. WEDEMEYER: Petition of citizens of Addison, Mich., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. WHITE: Petition of members of Tandy Ridge Grange, Zanesville, Ohio, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

## SENATE.

TUESDAY, April 16, 1912.

The Senate met at 12 o'clock m.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, who art the confidence of all the ends of the earth and of them that are afar off upon the sea, our hearts are overwhelmed within us because of the sore distress of our people and the sad fate that has overtaken our brethren in the great deep. In all their afflictions we are afflicted. And to whom may we turn, O Lord, but to Thee, who art our refuge and our strength and a very present help in trouble? Thou art the eternal God and Thou art our refuge. Thou hast been our dwelling place in all generations. The sea is Thine and Thou hast made it. Though Thou slay us, yet will we trust in Thee. Comfort our hearts, O God, and graciously grant that neither height nor depth may separate us from the love of God which is in Christ Jesus our Lord. For Thy name's sake hear our cry and answer our prayer. Amen.

The Journal of yesterday's proceedings was read and approved.

## MEAT-INSPECTION SERVICE (S. DOC. NO. 569).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Agriculture, submitting a supplemental estimate of \$1,000,000 to the permanent appropriation for the meat-inspection service of the Department of Agriculture, etc., which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bill and joint resolutions:

S. 2577. An act authorizing the lease of school lands for public-park purposes by the State of Washington for a longer period than five years;

S. J. Res. 77. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Grand Army of the Republic encampment, to be held at Pullman, Wash., in June, 1912;

S. J. Res. 87. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Messrs. Humberto Mencia and Juan Dawson, of Salvador; and

S. J. Res. 91. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Agüero y Juncué, of Cuba.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 244. An act extending the operation of the act of June 10, 1910, to coal lands in Alabama; and

S. 5059. An act granting school lands to the State of Louisiana.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 18956) making appropriation for the support of the Army for the fiscal year ending June 30, 1913, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAY, Mr. SLAXDEN, and Mr. PRINCE managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 19212) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SULZER, Mr. FLOOD of Virginia, and Mr. MCKINLEY managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12013. An act to authorize the Secretary of the Treasury to convey to the city of Corsicana, Tex., certain land for alley purposes;

H. R. 13774. An act providing for the sale of the old post-office property at Providence, R. I., by public auction;

H. R. 15361. An act for the patenting of certain land to Thomas Wall, of the State of Mississippi;

H. R. 16611. An act setting apart a certain tract of land for a public highway, and for other purposes;

H. R. 16690. An act for the relief of scientific institutions or colleges of learning having violated sections 3297 and 3297a of the Revised Statutes, and the regulations thereunder;

H. R. 19403. An act authorizing the Director of the Census to collect and publish statistics of cotton;

H. R. 20498. An act for the relief of certain homesteaders in Nebraska;

H. R. 20688. An act transferring the custody and control of the old post-office building in the city of Charleston, S. C., from the Treasury Department to the Department of Commerce and Labor;

H. R. 21478. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 21821. An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa;

H. R. 21960. An act to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal in front of the town of Port Arthur;

H. R. 22194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers of wars other than the Civil War,